

Exhibit E

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CHICAGO POLICE OFFICER SHANNON)
SPALDING and CHICAGO POLICE)
OFFICER DANIEL ECHEVERRIA,)
Plaintiffs,)
vs.) 12 C 8777
CITY OF CHICAGO, et al.,)
Defendants.)

Deposition of TINA SKAHILL, taken before
Linda M. Benda, C.S.R., Notary Public, in the County of Cook
and State of Illinois, at One North LaSalle Street, Suite
3040, Chicago, Illinois, on the 5th day of December 2014, at
the hour of approximately 9:30 o'clock a.m.

Page 2

1 There were present during the taking of
2 this deposition the following counsel:
3
4

5 CHRISTOPHER SMITH TRIAL GROUP, by
6 MR. CHRISTOPHER SMITH
7 One North LaSalle Street, Suite 3040
8 Chicago, IL 60602
9 (312) 432-0400

10 On behalf of the Plaintiffs;

11 DRINKER, BIDDLE & REATH, by
12 MR. ALAN S. KING
13 191 North Wacker Drive, Suite 3700
14 Chicago, IL 60606
15 (312) 569-1334

16 On behalf of the Defendants.

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ALSO PRESENT: Daniel Echeverria.

Page 4

1 (Witness sworn.)
2 TINA SKAHILL,
3 called as a witness herein, having been first duly sworn,
4 was examined upon oral interrogatories and testified as
5 follows:
6 EXAMINATION
7 by Mr. Smith:
8 Q Good morning. Can you please state your name and
9 spell your name for the court reporter?
10 A Tina Skahill, Tina, T-i-n-a, Skahill,
11 S-k-a-h-i-l-l.
12 Q What is your current occupation?
13 A Retired.
14 Q Have you ever given a deposition before?
15 A Yes.
16 Q And before you retired what was your position?
17 A Chief of the Chicago Police Department.
18 Q How long were you chief of the Chicago Police
19 Department?
20 A I was chief in the Chicago Police Department from
21 2008 to 2013.
22 Q What was your position in 2008?
23 A In 2008 I was chief of Internal Affairs Division.
24 Q How long were you chief of the Internal Affairs

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1	I N D E X	
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3	WITNESS:	PAGE
4	TINA SKAHILL	
5	Examination by Mr. Smith	4
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Page 5

1 Division?

2 A Until 2009.

3 Q Until 2009?

4 A Early 2009.

5 Q Where were you transferred to at that point?

6 A I then became chief of the CAPS, chief of CAPS.

7 Q Do you know why you transferred or what was the

8 reason for the transfer?

9 A At the -- it's at the discretion of the

10 superintendent.

11 Q Thank you. In terms of -- you understand you're

12 here on a deposition relating to a lawsuit filed by Shannon

13 Spalding and Daniel Echeverria?

14 A Yes.

15 Q And do you recall when you first met Shannon

16 Spalding and Daniel Echeverria?

17 A I don't know as to the first. I may have seen them

18 before.

19 Q Did you -- when you first -- were you with IAD --

20 when you were the chief of IAD did you have a time where you

21 actually met with them?

22 A Yes.

23 Q And was that your first significant meeting with

24 either one of them?

<p style="text-align: right;">Page 6</p> <p>1 A Yes.</p> <p>2 Q So basically you may have seen them in passing,</p> <p>3 hellos and things of that nature up until that time?</p> <p>4 A Yes, possibly.</p> <p>5 Q And maybe even more just based on the course of</p> <p>6 business as a police officer?</p> <p>7 A Possibly.</p> <p>8 Q But certainly nothing that raises to the level of a</p> <p>9 memorable occasion where you were either socially with them</p> <p>10 or working closely hand in hand; is that fair to say?</p> <p>11 A That's correct.</p> <p>12 Q All right. In terms of do you recall back in 2008</p> <p>13 meeting with a special agent, Patrick Smith?</p> <p>14 A Yes.</p> <p>15 Q And do you also recall that shortly before that</p> <p>16 meeting you were contacted by Shannon and Danny?</p> <p>17 A I don't specifically recall that, but I do recall</p> <p>18 meeting with Patrick Smith and Shannon and Danny.</p> <p>19 Q And it was roughly the same time?</p> <p>20 A Yes.</p> <p>21 Q And do you remember at all what happened in your</p> <p>22 first meeting with Danny and Shannon?</p> <p>23 A Yes.</p> <p>24 Q And it was -- was it your understanding that</p>	<p style="text-align: right;">Page 8</p> <p>1 A That was my understanding that they were working</p> <p>2 with the F.B.I. and Chicago Police Department's IAD.</p> <p>3 Q How did Danny and Shannon first come to you?</p> <p>4 A With Patrick Smith.</p> <p>5 Q And what was your understanding of why Patrick</p> <p>6 Smith came to you?</p> <p>7 A He needed them to work more closely with him on a</p> <p>8 regular basis.</p> <p>9 Q Did you learn at that meeting how Shannon and Danny</p> <p>10 had come to Patrick Smith?</p> <p>11 A I don't recall.</p> <p>12 Q Did you ever learn that Patrick and -- I mean that</p> <p>13 Danny and Shannon went to the F.B.I. on their off time to</p> <p>14 provide information to the F.B.I.?</p> <p>15 A I never heard that.</p> <p>16 Q Would there be any records that would show when</p> <p>17 Shannon and Danny started working with the IAD?</p> <p>18 A I wouldn't know now if there would be any records.</p> <p>19 I'm not sure.</p> <p>20 Q In terms of was there somebody who it was your</p> <p>21 understanding that they were reporting to at IAD in relation</p> <p>22 to this matter?</p> <p>23 A I don't recall specifically because that would have</p> <p>24 been before I became chief of IAD.</p>
<p style="text-align: right;">Page 7</p> <p>1 Shannon and Danny had gone and spoken with individuals at</p> <p>2 the F.B.I. concerning a matter that involved Chicago Police</p> <p>3 Officers?</p> <p>4 A It was my understanding that they had been working</p> <p>5 with IAD and the F.B.I. on an investigation.</p> <p>6 Q When you first met with them?</p> <p>7 A Yes.</p> <p>8 Q In terms of where did you learn that they were</p> <p>9 working with IAD at that point in time?</p> <p>10 A When I became chief of the Internal Affairs</p> <p>11 Division I was briefed on confidential investigations and</p> <p>12 with -- that the IAD was conducting.</p> <p>13 Q Who were you briefed by?</p> <p>14 A I was briefed by then Assistant Deputy</p> <p>15 Superintendent Kirby.</p> <p>16 Q And did Assistant Deputy Kirby tell you anything</p> <p>17 about Danny and Shannon?</p> <p>18 A Other than -- overall I don't remember specifics</p> <p>19 but just that investigation on the Watts investigation and a</p> <p>20 myriad of others.</p> <p>21 Q In terms of when Kirby told you about -- Debra</p> <p>22 Kirby told you about the Watts investigation, are you sure</p> <p>23 at that point she was telling you that Danny and Shannon</p> <p>24 were involved in the investigation?</p>	<p style="text-align: right;">Page 9</p> <p>1 Q And who was the chief before you?</p> <p>2 A There was no chief. There was an assistant deputy</p> <p>3 superintendent, and that was Assistant Deputy Superintendent</p> <p>4 Kirby.</p> <p>5 Q How long before this meeting with Patrick Smith,</p> <p>6 the first meeting with Patrick Smith had you become head of</p> <p>7 IAD?</p> <p>8 A I became head of IAD in March of 2008.</p> <p>9 Q When do you think this meeting with Patrick Smith</p> <p>10 was?</p> <p>11 A Sometime in the summer.</p> <p>12 Q Had you ever learned or seen or heard of Danny and</p> <p>13 Shannon -- and/or Shannon working with someone at IAD</p> <p>14 between March and that meeting in the summer?</p> <p>15 A When I was briefed by ADS Kirby about the Watts</p> <p>16 investigation.</p> <p>17 Q Other than coming from Debra Kirby, did you learn</p> <p>18 or see any sign that Danny or Shannon were working with IAD</p> <p>19 between March and the summer when there was the meeting with</p> <p>20 Patrick Smith?</p> <p>21 A No, I don't recall any other --</p> <p>22 Q So do you believe that Debra Kirby knew that Danny</p> <p>23 and Shannon had gone to the F.B.I. even before Patrick Smith</p> <p>24 came to meet with you?</p>

<p style="text-align: right;">Page 10</p> <p>1 MR. KING: Just object to the form of the question, 2 misstates the testimony but you can answer. 3 BY MR. SMITH: 4 Q Do you believe that Debra Kirby knew that Danny and 5 Shannon had gone to the F.B.I. before the meeting with you? 6 MR. KING: Same objections, lack of foundation. 7 BY MR. SMITH: 8 Q Did she specifically tell you anything about Danny 9 or Shannon being involved with the F.B.I. before Patrick 10 Smith's meeting with you? Did Debra Kirby tell you anything 11 specifically about Danny or Shannon? 12 MR. KING: Objection to the extent asked and answered 13 but if you remember anything else more specific. 14 THE WITNESS: Nothing other than what I said originally 15 that she briefed me on the Watts investigation when I became 16 chief of IAD and that Danny and Shannon were working with 17 IAD and the F.B.I. on the Watts investigation. 18 BY MR. SMITH: 19 Q If I told you that Danny and Shannon went to the 20 F.B.I. on their off time and were not working with the 21 F.B.I. until they came to see you and Patrick Smith, would 22 that surprise you? 23 A Yes, it would. 24 Q In terms of do you recall ever discussing with</p>	<p style="text-align: right;">Page 12</p> <p>1 A I don't recall specifically. 2 Q At the meeting what did Patrick Smith tell you was 3 the reason that he needed Shannon and Danny? 4 A He just said he needed them to be more available. 5 Q Did he tell you why he needed them to be more 6 available? 7 A Just to help conclude the Watts investigation, to 8 help the investigation. 9 Q And did he -- do you remember why they -- at that 10 point in time they weren't available enough? 11 A They were in narcotics. They were not assigned to 12 IAD. 13 Q In terms of did you have any idea as to when they 14 were able to work with the F.B.I. if they were assigned to 15 narcotics? 16 A They would be available to work during their 17 working hours. 18 Q Even when -- before the meeting with Patrick Smith? 19 A Yes. 20 Q In terms of how were they supposed to know which 21 location to go to? 22 MR. KING: Just object to the lack of foundation. 23 MR. SMITH: If you know. 24 THE WITNESS: I don't know.</p>
<p style="text-align: right;">Page 11</p> <p>1 anyone from IAD who would have been supervising Danny or 2 Shannon between March and the meeting with Patrick Smith? 3 A No, they were not assigned to IAD. They were 4 assigned to narcotics. 5 Q In what capacity were they working with IAD? 6 A Assisting. 7 Q Assisting whom? 8 A Assisting in the investigation of Sergeant Watts. 9 Q Who would have been -- who was involved in the 10 investigation of Sergeant Watts from IAD? 11 A I don't recall specifically at this time. 12 Q And do you know who IAD was working with, what 13 F.B.I. agents they were working with from the summer of -- I 14 mean, from March till the summer of when the meeting was? 15 A I don't recall. 16 Q That was the first time you met Patrick Smith, 17 correct? 18 A In the summer, yes. 19 Q Had you met any other F.B.I. personnel relating to 20 the Watts investigation prior to the meeting in the summer? 21 A I don't recall. 22 Q Did Debra Kirby tell you -- give you the name of 23 any F.B.I. personnel working with IAD before you met Patrick 24 Smith?</p>	<p style="text-align: right;">Page 13</p> <p>1 BY MR. SMITH: 2 Q All right. So at the meeting did you approve Danny 3 and Shannon being assigned to -- over to the F.B.I., to work 4 with the F.B.I.? 5 MR. KING: Just object to the form of the question, 6 misstates the earlier testimony. 7 BY MR. SMITH: 8 Q I'm sorry. At the meeting when Patrick Smith asked 9 to make the -- Danny and Shannon available to him what was 10 your response? 11 MR. KING: Same objection. The testimony was more 12 available. 13 BY MR. SMITH: 14 Q More available, available -- more available to him. 15 What was your response? 16 A I agreed. 17 Q And so was there any discussion at that meeting 18 about how they were going to be made more available? 19 A Yes. 20 Q What was the plan with respect to that? 21 A That I thought they could be detailed to 543. 22 Q And why were they going to be detailed to 543? 23 A That way it wouldn't indicate that they were 24 assigned to -- that they were working with IAD directly.</p>

<p style="text-align: right;">Page 14</p> <p>1 Q And why was that -- why were you doing that? Why</p> <p>2 was it important to make sure that it didn't appear that</p> <p>3 they were working for IAD directly?</p> <p>4 A Because they were still operating as narcotics</p> <p>5 officers.</p> <p>6 Q And in terms of was there -- are there -- were</p> <p>7 there safety issues that would be raised if it was clear</p> <p>8 they were working with IAD at that time?</p> <p>9 A No. The issue was for the integrity of the</p> <p>10 investigation.</p> <p>11 Q And how would that protect the integrity of the</p> <p>12 investigation?</p> <p>13 A Because they -- their use of confidential</p> <p>14 informants from their narcotics assignment was going to be</p> <p>15 utilized.</p> <p>16 Q Why would detailing them to 543 protect the use of</p> <p>17 their confidential informants?</p> <p>18 A Because when they were operating in a district,</p> <p>19 people saw them operating in a district. They wouldn't know</p> <p>20 where -- that they were not operating as narcotics. If they</p> <p>21 were to look they wouldn't know where they were operating</p> <p>22 from.</p> <p>23 Q Who wouldn't know where they would be operating</p> <p>24 from?</p>	<p style="text-align: right;">Page 16</p> <p>1 A Their investigation, their participation in an</p> <p>2 investigation was the same as any other officer assigned to</p> <p>3 that investigation.</p> <p>4 Q I understand that, but I'm asking you did Shannon</p> <p>5 or Danny express to you a concern about if they were working</p> <p>6 on a matter like this that they would be assured that their</p> <p>7 identities would be kept confidential?</p> <p>8 A They were assured that their -- they were assured</p> <p>9 that they would receive the same level of confidentiality as</p> <p>10 all officers assigned to confidential investigations.</p> <p>11 Q And what level of confidentiality would that be?</p> <p>12 A A need to know. Only persons who need to know.</p> <p>13 Q What was your understanding of who needed to know</p> <p>14 that Danny and Shannon were assigned to work with the F.B.I.</p> <p>15 through Detail 543?</p> <p>16 A That depends upon a person's role. It also depends</p> <p>17 on the information that they seek and the time of that</p> <p>18 information.</p> <p>19 Q What was your understanding as to who knew that</p> <p>20 Danny and Shannon were involved in the Watts investigation</p> <p>21 immediately after the meeting with Patrick Smith?</p> <p>22 A Well, I knew and a confidential sergeant would</p> <p>23 know, confidential lieutenant in IAD would --</p> <p>24 Q And that would be -- Mr. Chester would be the</p>
<p style="text-align: right;">Page 15</p> <p>1 A No one would.</p> <p>2 Q In terms of were they given -- Danny and Shannon</p> <p>3 given a story to tell people if they were asked what they</p> <p>4 were doing?</p> <p>5 A They might have been.</p> <p>6 Q Were they told that the matter would be -- the fact</p> <p>7 that they were investigating a police officer would be kept</p> <p>8 confidential?</p> <p>9 A It's a confidential -- the Watts investigation was</p> <p>10 already confidential.</p> <p>11 Q Were Danny and Shannon assured that their</p> <p>12 identities as being involved in the Watts investigation and</p> <p>13 being involved in an investigation of other police officers</p> <p>14 would be kept confidential?</p> <p>15 A Any involvement of any personnel in a confidential</p> <p>16 investigation is confidential.</p> <p>17 Q During the meeting were safety issues and</p> <p>18 confidentiality issues discussed, the meeting with Shannon</p> <p>19 and Danny when Patrick Smith came in?</p> <p>20 A Confidential -- the confidentiality of the</p> <p>21 investigation was stressed.</p> <p>22 Q And did Danny or Shannon specifically ask for</p> <p>23 assurances that their identity would be kept quiet in terms</p> <p>24 of being involved in an investigation like this?</p>	<p style="text-align: right;">Page 17</p> <p>1 sergeant or no?</p> <p>2 A I can't recall specifically but --</p> <p>3 Q Tom Chester, does that ring a bell?</p> <p>4 A Yes.</p> <p>5 Q Who would the lieutenant have been?</p> <p>6 A At that time it would have been Lieutenant West.</p> <p>7 Q And who else, if anyone?</p> <p>8 A I needed permission from Deputy Superintendent</p> <p>9 Brust.</p> <p>10 Q Anyone else?</p> <p>11 A And he needed to make the request to the first</p> <p>12 deputy.</p> <p>13 Q Who was that?</p> <p>14 A James Jackson.</p> <p>15 Q Is that your understanding of who knew at the time</p> <p>16 of the meeting that they were going to be -- or shortly</p> <p>17 after the meeting that they were going to be involved?</p> <p>18 A Well, and then when they worked for -- their</p> <p>19 commanding officers of their units know that they're going</p> <p>20 to 543.</p> <p>21 Q And who would those have been?</p> <p>22 A You know, Commander Roti and I can't remember who</p> <p>23 was the chief of organized crime at that time.</p> <p>24 Q What was -- did you contact Commander Roti to tell</p>

<p style="text-align: right;">Page 18</p> <p>1 him about Danny and Shannon's reassignment?</p> <p>2 A You know what? I don't recall. I may have.</p> <p>3 Q What would you have told him?</p> <p>4 MR. KING: Object to the form.</p> <p>5 THE WITNESS: I don't recall.</p> <p>6 BY MR. SMITH:</p> <p>7 Q Would you have told him the nature of the</p> <p>8 investigation?</p> <p>9 MR. KING: Object to the form of the question. She</p> <p>10 doesn't recall whether she spoke to him. You're asking a</p> <p>11 hypothetical.</p> <p>12 BY MR. SMITH:</p> <p>13 Q Hypothetically, when you're working as chief in IAD</p> <p>14 and you had a confidential investigation, would you tell the</p> <p>15 commander, Roti, that -- the nature or the type of</p> <p>16 investigation that the confidential officers were working</p> <p>17 on?</p> <p>18 MR. KING: Same objections.</p> <p>19 THE WITNESS: Again it would depend on the</p> <p>20 investigation, and it also would depend on what information</p> <p>21 they would need to know. Everything remains fluid.</p> <p>22 BY MR. SMITH:</p> <p>23 Q In a situation such as this where there was going</p> <p>24 to be officers investigating fellow Chicago Police</p>	<p style="text-align: right;">Page 20</p> <p>1 Patrick Smith told you in that initial meeting?</p> <p>2 A I don't recall anything else.</p> <p>3 Q Do you remember anything Shannon Spalding told you</p> <p>4 in that initial meeting?</p> <p>5 A No.</p> <p>6 Q Do you remember anything Danny Echeverria told you</p> <p>7 in that initial meeting?</p> <p>8 A No.</p> <p>9 Q Do you remember assigning Danny and Shannon in --</p> <p>10 getting permission to assign Danny and Shannon to Unit 543</p> <p>11 within days of that meeting?</p> <p>12 A I don't know if it was within days, but I didn't --</p> <p>13 I don't assign. First deputy approves assignments.</p> <p>14 Q Correct, but in terms of your contacting Brust,</p> <p>15 that was within days of the meeting with Patrick Smith,</p> <p>16 correct?</p> <p>17 A I don't know if it was days but it was shortly</p> <p>18 thereafter.</p> <p>19 Q What would you consider shortly thereafter?</p> <p>20 A That could be within a month or two.</p> <p>21 Q Did you calendar the -- would you have calendared</p> <p>22 the issue, or what would have triggered the event to call in</p> <p>23 a month if you would have waited that long? Why would you</p> <p>24 wait at all?</p>
<p style="text-align: right;">Page 19</p> <p>1 Department officers including a sergeant related to</p> <p>2 extorting narcotics from drug dealers or money, would you</p> <p>3 have told that to Roti?</p> <p>4 MR. KING: Objection, lack of foundation, calling for</p> <p>5 speculation, hypothetical situation.</p> <p>6 BY MR. SMITH:</p> <p>7 Q Or would you keep something like that confidential?</p> <p>8 Again this is hypothetically speaking.</p> <p>9 A Hypothetically the individual would not need to</p> <p>10 know a lot of details.</p> <p>11 Q And you certainly wouldn't want to tip off even</p> <p>12 Commander Roti of the whereabouts of where the target was,</p> <p>13 the -- who was the target and so on and so forth, correct?</p> <p>14 A That's correct.</p> <p>15 Q In terms of when you're in confidentials, would you</p> <p>16 agree that you do consider that in addition to compromising</p> <p>17 the investigation you also would not want the targets to</p> <p>18 learn who the officers were that were investigating them for</p> <p>19 the safety of the officers in the confidential</p> <p>20 investigation?</p> <p>21 A Safety is always paramount for any police officer</p> <p>22 in any investigation, confidential or otherwise.</p> <p>23 Q In terms of other than asking to make Danny and</p> <p>24 Shannon more available, do you remember anything else</p>	<p style="text-align: right;">Page 21</p> <p>1 A I don't make the assignment. I make the request.</p> <p>2 When the request is granted was not up to me.</p> <p>3 Q So when did you make the request?</p> <p>4 A Sometime shortly after the meeting.</p> <p>5 Q That would have been within days, correct?</p> <p>6 A I don't know.</p> <p>7 Q Would there be any reason you would have waited?</p> <p>8 A I don't know.</p> <p>9 Q Do you recall anything going on that would have</p> <p>10 caused you to wait?</p> <p>11 A That was five, six years ago, so I don't recall.</p> <p>12 Q You have -- do you have any reason to believe that</p> <p>13 as you sit here today that there was -- let's put it this</p> <p>14 way. Is it possible that you called immediately after the</p> <p>15 meeting?</p> <p>16 A It's possible.</p> <p>17 Q Did you keep any records relating to that meeting?</p> <p>18 A Not to my knowledge. I don't recall.</p> <p>19 Q Would you have made any notation or anything</p> <p>20 relating to the meeting?</p> <p>21 A I don't recall keeping anything.</p> <p>22 Q So when is the first time that there is any</p> <p>23 indication or notation that Danny Echeverria or Shannon</p> <p>24 Spalding were informed that they would be joining the</p>

<p style="text-align: right;">Page 22</p> <p>1 investigation with the F.B.I. in their official capacity as 2 police officers? 3 MR. KING: Just object to the form of the question. 4 THE WITNESS: I don't know when they learned of it. 5 You'd have to ask them. 6 BY MR. SMITH: 7 Q If I told you that they had never been officially 8 assigned in their capacity as police officers until that 9 meeting, would you have any way of showing that that was 10 wrong? 11 MR. KING: Objection. She's already testified to 12 knowing that before the meeting. Object to the form of the 13 question. 14 BY MR. SMITH: 15 Q If I told you that it was their understanding that 16 they had never been officially assigned in their official 17 capacity as police officers to the F.B.I. -- to working with 18 the F.B.I. until after that meeting, would there be any 19 records or anything to establish that was incorrect? 20 A I wouldn't know. 21 Q You are aware that at some point in time Danny and 22 Shannon were assigned to detached services, Unit 543? 23 A Yes. 24 Q And at that time they were to report directly to</p>	<p style="text-align: right;">Page 24</p> <p>1 or contact with Danny and Shannon during the time they were 2 working in Unit 543 when you were still the head of IAD? 3 A Yes. I would have had some contact probably. 4 Q And what was the nature of that contact? 5 A Status updates on the investigation. 6 Q In terms of those status updates, was there 7 anything that -- during those status updates that made you 8 feel that Danny and Shannon were doing their jobs? 9 A Oh, yes. I thought they were doing their job. 10 Q And in terms of did you hear anyone make any 11 complaints about Danny or Shannon during the time that you 12 were supervising or head of IAD? 13 A No. In their capacity in the investigation, no. 14 Q In any capacity? 15 A No, not to my knowledge. 16 Q Did anyone communicate to you that there was any 17 difficulties with Danny or Shannon while they were in the 18 narcotics unit before being assigned to Unit 543? 19 A I don't recall any complaint. 20 Q And in terms of when Danny and Shannon were working 21 in Unit 543, were you aware that at times during the 22 investigation into the police officers on Watts' team that 23 they were getting information on other narcotics activities? 24 A I don't recall.</p>
<p style="text-align: right;">Page 23</p> <p>1 F.B.I. headquarters on Operation Brass Tax? 2 A Yes. 3 Q At some point in time you no longer were head of 4 IAD, correct? 5 A Yes. 6 Q And you were replaced by Juan Rivera? 7 A Yes. 8 Q And did you brief Juan Rivera in relation to 9 Operation Brass Tax? 10 A Yes. 11 Q Do you recall what you indicated regarding Danny 12 and Shannon's role with Operation Brass Tax? 13 A No, I don't recall. 14 Q At any point in time did you learn that a -- do you 15 know who Commander O'Grady is? 16 A Yes. 17 Q Did you ever learn that Commander O'Grady was aware 18 that Danny and Shannon were working on Operation Brass Tax? 19 A I don't know what Jim O'Grady knew. 20 Q So it's fair to say that you didn't know -- you 21 didn't tell Juan Rivera that James O'Grady knew about 22 Operation Brass Tax? 23 A I don't know. 24 Q And in terms of when -- did you have any meetings</p>	<p style="text-align: right;">Page 25</p> <p>1 Q In terms of did you ever tell them that they 2 shouldn't develop leads for other narcotics arrests and 3 busts during the time that they were working on Operation 4 Brass Tax? 5 A No. 6 Q In fact, would you encourage -- if they found out 7 information about other narcotics activities that wasn't 8 directly involved in Operation Brass Tax but the information 9 developed through Operation Brass Tax, would you encourage 10 them to share it with fellow officers so that a bust could 11 be made? 12 MR. KING: Just objection to the lack of foundation and 13 calling for speculation. 14 THE WITNESS: If that were to occur I would encourage 15 and request and require that the information be shared. 16 BY MR. SMITH: 17 Q Did you ever learn of a time when Danny and Shannon 18 believed that the fact that they were working on developing 19 information of crimes by a fellow sworn officer was leaked 20 outside of the confidential circle? Did you ever become 21 aware of a time when Danny or Shannon thought the fact that 22 they were working on an investigation of officers was leaked 23 beyond the confidential circle of individuals? 24 MR. KING: Just object to the form and the use of</p>

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1 confidential circle. The testimony was on a need to know
 2 basis, but you can answer.
 3 THE WITNESS: Anybody who was involved in the
 4 investigation or had knowledge was on a need to know basis
 5 and that knowledge would have been limited. Everybody had
 6 different levels of knowledge, and then it would change
 7 depending on the time in people's roles as they changed
 8 throughout the years.
 9 BY MR. SMITH:
 10 Q Did you ever learn that Commander O'Grady became
 11 somebody who needed to know of Danny and Shannon's
 12 involvement in Operation Brass Tax?
 13 A I don't know what Commander O'Grady knew or didn't
 14 know.
 15 Q Did you ever come to know that Ernie Brown became
 16 somebody who needed to know about Operation Brass Tax?
 17 A I don't know what Ernie Brown knew or didn't know.
 18 Q Did you ever come to know that Nick Roti became
 19 somebody who needed to know about information concerning
 20 Operation Brass Tax?
 21 A Other than Commander Roti knowing that Danny and
 22 Shannon were being detailed to 543 to assist IAD he would
 23 not probably have known particulars of the investigation.
 24 Q Was there ever a time where Danny or Shannon came

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1 to you with any -- to discuss the possibility that
 2 individuals outside -- other than people that were involved
 3 or aware of the investigation were finding out about
 4 Operation Brass Tax or their involvement in an
 5 investigation?
 6 A While I was chief of IAD nothing of that sort was
 7 brought to my attention. After I was no longer chief of
 8 IAD, I was prohibited from any discussions about that
 9 confidential investigation.
 10 Q So after you were outside of -- did you ever speak
 11 with Danny or Shannon after you were no longer chief of IAD?
 12 A Yes.
 13 Q And did you ever speak to them about their concerns
 14 with Operation Brass Tax after you left?
 15 MR. KING: Object to the form of the word concerns.
 16 THE WITNESS: Any discussions about Operation Brass Tax
 17 were completely prohibited, and they were told to talk about
 18 anything connected with that investigation with Chief
 19 Rivera.
 20 BY MR. SMITH:
 21 Q And did they follow your orders and do that?
 22 A I don't know if they did or not. You'd have to ask
 23 them.
 24 Q In terms of that they didn't talk to you anymore

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1 about Brass Tax?
 2 A Any conversations having to deal with that
 3 investigation with -- was prohibited with me, so -- but they
 4 were told to talk to Chief Rivera about anything connected
 5 with that investigation.
 6 Q What did you talk to Shannon and Danny about after
 7 you were no longer chief of IAD?
 8 A They were assigned to me when I was chief of the
 9 Office of Compliance, and they were assigned to detail to
 10 Unit 126, which was inspections, so they were under my
 11 command.
 12 Q Before they were assigned to Unit 126 did you ever
 13 speak to them at all?
 14 A Yes.
 15 Q What did you speak to them about? And I'm talking
 16 about after you were no longer chief of IAD.
 17 A I received information from them that they were no
 18 longer being detailed to 543.
 19 Q How did you receive that information?
 20 A I don't recall if it was either a text or an
 21 E-mail.
 22 Q Do you know who it was from?
 23 A Either Danny or Shannon.
 24 Q And do you recall specifically what the E-mail or

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1 text said?
 2 A Just that they thought they were being detailed to
 3 the 15th District.
 4 Q And did they say anything about being detailed to
 5 the 15th District in the text or E-mail?
 6 A I don't recall specifically but once they gave me
 7 that information, then I requested from then Deputy
 8 Superintendent Kirby if they could be detailed to 126
 9 inspections.
 10 Q Why did you do that?
 11 A Because they then would be under me and Brass Tax
 12 was still an ongoing investigation.
 13 Q And why did you think that it was important that
 14 they were under you rather than being detailed to the 15th
 15 District?
 16 A Well, if they were there then IAD could still
 17 continue and the F.B.I. could still continue to utilize them
 18 for that investigation, which was still ongoing.
 19 Q And why wouldn't they have been able to do that if
 20 they were in the 15th District?
 21 A It would have been more difficult.
 22 Q Because why?
 23 A Logistically.
 24 Q When you say logistically, what do you mean by

<p style="text-align: right;">Page 30</p> <p>1 that?</p> <p>2 A Because their duties would have been patrol duties.</p> <p>3 They would have been answering calls for service.</p> <p>4 Q So they couldn't have done both jobs at the same</p> <p>5 time effectively?</p> <p>6 A That would have been difficult to answer calls for</p> <p>7 service.</p> <p>8 Q Did you have any discussions with either Danny or</p> <p>9 Shannon about you being brought -- them being brought to</p> <p>10 Unit 126?</p> <p>11 A I probably did. I just don't recall specifically,</p> <p>12 but I know they were in agreement with the -- coming over to</p> <p>13 126.</p> <p>14 Q Did you ever discuss with them any issues relating</p> <p>15 to the fact that it might be better to assign them to IAD?</p> <p>16 A I know they wanted to be assigned to IAD.</p> <p>17 Q And is it true that you indicated that you thought</p> <p>18 that would have been a good position for them to be assigned</p> <p>19 to it as well?</p> <p>20 A I thought it would have been a good place.</p> <p>21 Q Did you, in fact, ever indicate that you didn't</p> <p>22 understand why the chief of IAD, Rivera, wouldn't have</p> <p>23 assigned them to that position?</p> <p>24 A The chief does not have discretion as to who is</p>	<p style="text-align: right;">Page 32</p> <p>1 you ever talk with -- at that time with Kirby or Rivera</p> <p>2 about the possibility of putting them in IAD?</p> <p>3 A We discussed various places, I'm sure, but we had</p> <p>4 agreed and specifically discussed about 126, which was under</p> <p>5 me, and it was agreed that we would pursue -- that they</p> <p>6 would pursue that request.</p> <p>7 Q But I'm asking you did you talk to Kirby and Rivera</p> <p>8 specifically about putting them in -- the possibility of</p> <p>9 putting them in IAD?</p> <p>10 A It may have been in discussions about where they</p> <p>11 could be detailed, but again those assignments were not at</p> <p>12 the discretion of myself or Deputy Superintendent Kirby or</p> <p>13 Chief Rivera. We have no authority to assign or detail</p> <p>14 people anywhere.</p> <p>15 Q Okay. Understanding that, was there any discussion</p> <p>16 in terms of sending them to IAD and the reasons why it would</p> <p>17 be good versus the reasons why it could or couldn't happen?</p> <p>18 A Our discussion was primarily about 126 and that is</p> <p>19 where they were eventually detailed to.</p> <p>20 Q Was there any discussion about IAD?</p> <p>21 A As I said, I don't recall specifics on that point.</p> <p>22 Q Do you recall anything Kirby said at all about the</p> <p>23 issue --</p> <p>24 MR. KING: Object to form.</p>
<p style="text-align: right;">Page 31</p> <p>1 assigned to his unit. Assignments are not made by the</p> <p>2 chief.</p> <p>3 Q In terms of did you ever talk to them about the</p> <p>4 fact that you couldn't understand why Rivera wouldn't have</p> <p>5 made efforts to have them brought to IAD?</p> <p>6 A I know Chief Rivera was very supportive of their</p> <p>7 participation in the investigation and so, you know, you'd</p> <p>8 have to talk to Juan if he was able to bring them over. He</p> <p>9 may have tried.</p> <p>10 Q Well, I'm asking you, though, did you ever talk to</p> <p>11 Danny or Shannon personally and indicate to them that you</p> <p>12 were surprised that Officer -- that Chief Rivera was not</p> <p>13 making more efforts to bring them into IAD?</p> <p>14 A No, I don't recall that.</p> <p>15 Q Do you recall indicating any information to Danny</p> <p>16 or Shannon about your disappointment with where they were</p> <p>17 assigned?</p> <p>18 A To --</p> <p>19 Q The fact that they were being sent to District 15.</p> <p>20 A Oh, yes. I did not -- again I did not agree that</p> <p>21 they should go to the 15th District, which is why myself and</p> <p>22 Chief Rivera and Deputy Superintendent Kirby agreed that 126</p> <p>23 in inspections would have been better.</p> <p>24 Q And in terms of did you ever ask in terms of -- did</p>	<p style="text-align: right;">Page 33</p> <p>1 BY MR. SMITH:</p> <p>2 Q Before the agreement to send them to Unit 126 --</p> <p>3 A No.</p> <p>4 Q -- do you recall anything Debra Kirby said?</p> <p>5 A No, I don't.</p> <p>6 Q Do you recall anything Juan Rivera said before the</p> <p>7 agreement to send them to 126?</p> <p>8 A Not specifically, no.</p> <p>9 Q Do you recall what you said?</p> <p>10 A No.</p> <p>11 Q While in Unit 126, did Danny and Shannon report to</p> <p>12 you at all?</p> <p>13 A Yes.</p> <p>14 Q In what way?</p> <p>15 A Because I was chief of the Office of Compliance and</p> <p>16 so I was in command, and during the first part of -- what</p> <p>17 year was that? 2011, I think it was, the commander of</p> <p>18 inspections was absent for medical reasons, so I was the</p> <p>19 only exec commanding officer.</p> <p>20 Q How often would they report to you during that time</p> <p>21 period when they were with Unit 126?</p> <p>22 A Not often but at times they did. In fact, one time</p> <p>23 Danny drove me to a meeting. I had to go on a Sunday, and</p> <p>24 so he took me there. So it's a small unit so we all worked</p>

<p style="text-align: right;">Page 34</p> <p>1 together.</p> <p>2 Q So what -- was there any type of regular reporting</p> <p>3 where they would actually come and meet with you and tell</p> <p>4 you what they were doing and what their assignments were</p> <p>5 or --</p> <p>6 A No. That wasn't required at that level.</p> <p>7 Q Okay. And in terms of how often would you see them</p> <p>8 physically in terms of just --</p> <p>9 A It's a close office so that could vary. I could</p> <p>10 see people daily, weekly, regularly going in and out because</p> <p>11 it's a small unit.</p> <p>12 Q And in terms of when they came to Unit 126, did you</p> <p>13 know what their assignment was going to be?</p> <p>14 A Yes.</p> <p>15 Q What were they assigned to do?</p> <p>16 A They were going to be assigned whatever needed to</p> <p>17 be done in that unit in inspections that was -- primarily</p> <p>18 responsible for auditing and any other tasks that arose.</p> <p>19 Q And in terms of -- what tasks needed to be done at</p> <p>20 that point in time in Unit 126?</p> <p>21 A Well, one of the things that I requested to be done</p> <p>22 was in the summer we were tasked with assisting the</p> <p>23 education and training division in training the entire</p> <p>24 Bureau of Patrol in in-car camera.</p>	<p style="text-align: right;">Page 36</p> <p>1 before you got there or --</p> <p>2 A Yes.</p> <p>3 Q Do you know -- I take it you know Commander</p> <p>4 Stanley?</p> <p>5 A Yes.</p> <p>6 Q And how do you know Commander Stanley?</p> <p>7 A She was the commanding officer of inspections, and</p> <p>8 I was her boss but I've known Adrian Stanley for years as</p> <p>9 well.</p> <p>10 Q How did you first come to know Adrian Stanley?</p> <p>11 A Well, when I became a lieutenant I was assigned to</p> <p>12 the 21st District where she was the commander of the 21st</p> <p>13 District, and that was in 2001, and I was her CAPS</p> <p>14 lieutenant and also worked as her watch commander.</p> <p>15 Q In terms of when did you leave Unit 126?</p> <p>16 A In August of 2012 I became chief of special</p> <p>17 functions.</p> <p>18 Q Were, to your knowledge --</p> <p>19 A Oh, of 2011.</p> <p>20 Q August of 2011?</p> <p>21 A 2011, right.</p> <p>22 Q To your knowledge, were Danny and Shannon still</p> <p>23 assigned to Unit 126 when you left?</p> <p>24 A Yes, to my knowledge.</p>
<p style="text-align: right;">Page 35</p> <p>1 Q Do you know who within 126 was in charge of doing</p> <p>2 that?</p> <p>3 A Well, I requested that Danny and Shannon be sent to</p> <p>4 assist the academy in that training.</p> <p>5 Q And when would that have been?</p> <p>6 A Sometime, I think, in the summer of 2011.</p> <p>7 Q Who was their supervisor at that point in time,</p> <p>8 their immediate supervisor?</p> <p>9 A I don't know who their sergeant was at the time.</p> <p>10 Q How long was that in camera training assignment</p> <p>11 supposed to last?</p> <p>12 A Until the Bureau of Patrol was trained.</p> <p>13 Q Do you know a Lieutenant Pascua?</p> <p>14 A Yes.</p> <p>15 Q How do you know Lieutenant Pascua?</p> <p>16 A She was assigned to inspections and I've known her</p> <p>17 for many years as well.</p> <p>18 Q How did you first know her?</p> <p>19 A I first knew her when she was, I believe, sergeant</p> <p>20 in the Office of Legal Affairs.</p> <p>21 Q Do you know about when that was?</p> <p>22 A Oh, it would have been, I think, either in early</p> <p>23 2000s, late 1990s, I think. I'm not sure.</p> <p>24 Q And Lieutenant Pascua, was she assigned to Unit 126</p>	<p style="text-align: right;">Page 37</p> <p>1 Q Do you know who replaced you?</p> <p>2 A That office was done away with.</p> <p>3 Q The -- your position at 126 was done away with?</p> <p>4 A Yes.</p> <p>5 Q Do you know why that was?</p> <p>6 A No.</p> <p>7 Q So how long -- so it was only a short period of</p> <p>8 time that you were actually supervising Danny and Shannon in</p> <p>9 inspections?</p> <p>10 A Yes.</p> <p>11 Q When I say short period of time, I mean roughly</p> <p>12 the -- sometime in the beginning of the summer until August</p> <p>13 approximately?</p> <p>14 A Yes.</p> <p>15 Q Were you aware that Danny and Shannon stayed at</p> <p>16 Unit 126 until -- within 126 until sometime in the spring of</p> <p>17 2012?</p> <p>18 A Yes.</p> <p>19 Q In terms of once you left your position at 126, did</p> <p>20 you have any contact with Danny or Shannon?</p> <p>21 A Yes.</p> <p>22 Q In what way?</p> <p>23 A They asked me to recommend them for the fugitive</p> <p>24 apprehension unit.</p>

<p style="text-align: right;">Page 38</p> <p>1 Q In between the time you left and -- Unit 126 and 2 the time that you -- they asked you to recommend them for 3 the fugitive unit, did you have any contact with them, phone 4 calls, meetings or anything? 5 A No, not that I recall, no specific meetings or 6 anything, but we see each other all the time, talk, speak. 7 Q Casual conversation, okay. And in terms of when 8 they were in Unit 126 while you were the chief, were you 9 aware of any complaints about them? 10 A No. 11 Q In terms of did you have any problems with their 12 work commitment while they were in Unit 126 under your 13 command? 14 A No, I did not. 15 Q In terms of were you aware of any issues or 16 problems they were having in terms of work at the F.B.I. 17 during that time period? 18 A No, I was not. 19 Q And in terms of as far as you were concerned, were 20 they properly notifying you or people within 126 when they 21 would be working with the F.B.I.? 22 MR. KING: Object to the lack of foundation. 23 THE WITNESS: I don't know if that was an issue or not. 24 I just know that was never brought to my attention.</p>	<p style="text-align: right;">Page 40</p> <p>1 recommendation? 2 A Yes. 3 Q What was that? 4 A Basically about their work experience, that I felt 5 their work experience and their character -- they would be 6 good for the fugitive apprehension unit. 7 Q Did you believe that their character was good and 8 appropriate for the fugitive unit? 9 A Yes. 10 Q Did you believe that they had a good work ethic to 11 work in the fugitive apprehension unit? 12 A Yes. 13 Q Did you have any personal complaints with the 14 quality of either Officer Echeverria or Spalding's work? 15 A No, I did not. 16 Q Did you ever have any complaints with them on a 17 personal level? 18 A No. 19 Q Did you perceive Shannon Spalding as any type of a 20 complainer during the time you knew her? 21 A No. 22 Q Did you perceive Danny Echeverria as any type of a 23 complainer during the times you worked with him? 24 A No.</p>
<p style="text-align: right;">Page 39</p> <p>1 BY MR. SMITH: 2 Q So nobody ever told you that we don't know when 3 Danny and Shannon are supposed to be with the F.B.I. and 4 with us, correct? 5 A Not that I recall. 6 Q And in terms of they certainly were allowed to work 7 for the F.B.I. during that time period whenever needed? 8 A It was my understanding that's why they were there. 9 Q All right. So when they asked you for a 10 recommendation or assistance in going to the -- how did they 11 approach you relating to their attempt to move from Unit 126 12 to the fugitive division? 13 A I think I remember -- I think Shannon asked me to 14 write a recommendation for the fugitive apprehension unit, 15 and I know it was a short window of time that it was needed, 16 and so I was able to write them up and hand deliver it. 17 Q Who did you write up something to? 18 A I wrote it to Chief Tom Byrne of the detective -- 19 Bureau of Detectives and hand delivered the recommendations 20 to him. 21 Q Did Shannon or Danny tell you any details about why 22 they were receiving the recommendations? 23 A No, just that they wanted to go there. 24 Q And in terms of do you recall what you wrote in the</p>	<p style="text-align: right;">Page 41</p> <p>1 Q Did you perceive Danny and Shannon as people who 2 wanted to be Chicago Police Officers? 3 A Yes. 4 Q Did you perceive them as people who really enjoyed 5 being Chicago Police Officers? 6 A Yes. 7 Q Did you ever hear of any complaints about Danny or 8 Shannon after you left Unit 126 relating to their work in 9 Unit 126? 10 A Not to my knowledge. I don't recall. 11 Q Did you ever personally -- were you ever personally 12 told by any supervisors within the Chicago Police Department 13 prior to the time of the filing of this lawsuit that there 14 was any problems or work-related deficiency by either 15 Shannon Spalding or Daniel Echeverria? 16 A I don't recall it. 17 Q How about after the lawsuit was filed, did anyone 18 ever complain to you about Danny or Shannon or tell you that 19 they were substandard officers? 20 A I don't recall. 21 Q In terms of did you actually speak to Tom Byrne 22 about your recommendation? 23 A Yes. I hand delivered it. 24 Q Did Tom Byrne -- to your knowledge, did Tom Byrne</p>

<p style="text-align: right;">Page 42</p> <p>1 already know Shannon and Danny?</p> <p>2 A I don't know if he did or not.</p> <p>3 Q Did you have any conversation with Tom Byrne about</p> <p>4 the recommendations?</p> <p>5 A Other than I hand delivered it, and I thought they</p> <p>6 would be good candidates for that unit.</p> <p>7 Q In terms of while they were -- and were you aware</p> <p>8 that at one point in time Danny and Shannon were sent to the</p> <p>9 academy -- the training division of the academy after they</p> <p>10 were in Unit 543?</p> <p>11 A Yes. That's when I got the E-mail or the text</p> <p>12 message, whichever.</p> <p>13 Q Were you aware of what they were asked to do at the</p> <p>14 training academy?</p> <p>15 A No, I wasn't.</p> <p>16 Q I'm going to show you -- in terms of after you made</p> <p>17 the recommendation to put them in fugitive apprehensions,</p> <p>18 did you ever have any conversations with Danny or Shannon</p> <p>19 about their assignment and the work at fugitive</p> <p>20 apprehensions?</p> <p>21 A I don't recall.</p> <p>22 Q Did you have any conversations with them about</p> <p>23 Brass Tax after they were assigned to the fugitive</p> <p>24 apprehension division?</p>	<p style="text-align: right;">Page 44</p> <p>1 A I think when it was in the paper.</p> <p>2 Q Did you talk to anybody about the lawsuit?</p> <p>3 A Other than the attorney.</p> <p>4 Q Well, other than the attorney. When you first</p> <p>5 heard about it.</p> <p>6 A I don't recall specific -- any specific</p> <p>7 conversations about it.</p> <p>8 Q Do you know -- of course you know Juan Rivera,</p> <p>9 correct?</p> <p>10 A Yes.</p> <p>11 Q When did you first meet Juan Rivera?</p> <p>12 A Juan and I were both made sergeant at the same</p> <p>13 time. We were in the same sergeants class.</p> <p>14 Q Is that when you met him?</p> <p>15 A Yes.</p> <p>16 Q At least that you know of?</p> <p>17 A Right, that I know of.</p> <p>18 Q And I may have already asked you this. When did</p> <p>19 you first meet Debra Kirby?</p> <p>20 A For many years. It's many, many years.</p> <p>21 Q Over 15, over 10 years?</p> <p>22 A It would probably be over ten years.</p> <p>23 Q And just -- what year did you start with the</p> <p>24 Chicago Police Department?</p>
<p style="text-align: right;">Page 43</p> <p>1 A Any conversations about Brass Tax when that</p> <p>2 investigation was still ongoing was prohibited.</p> <p>3 Q Did you have any conversations with them about</p> <p>4 Brass Tax during the time where Watts and Mohammed were --</p> <p>5 after they were already charged and during the time in which</p> <p>6 they were being prosecuted?</p> <p>7 A I think just in passing them saying it was over.</p> <p>8 Q But nothing in terms of details?</p> <p>9 A No, no.</p> <p>10 Q And then in terms of while they were with the</p> <p>11 fugitive apprehension unit did you have any conversations of</p> <p>12 any significance during the time period that they were</p> <p>13 there?</p> <p>14 A No, not that I recall.</p> <p>15 Q Did they -- did you contact them on a regular basis</p> <p>16 even after they were at fugitive apprehensions?</p> <p>17 A No.</p> <p>18 Q Did they contact you on a regular basis?</p> <p>19 A No.</p> <p>20 Q Would you ever ask them questions about whether or</p> <p>21 not they were having problems because they had been involved</p> <p>22 in investigating fellow officers?</p> <p>23 A I don't recall that.</p> <p>24 Q When did you first hear about the lawsuit, if ever?</p>	<p style="text-align: right;">Page 45</p> <p>1 A 1982.</p> <p>2 Q Did you do any other law enforcement before then?</p> <p>3 A No.</p> <p>4 Q And do you know James O'Grady?</p> <p>5 A Yes.</p> <p>6 Q When did you first meet James O'Grady?</p> <p>7 A I don't recall specifically.</p> <p>8 Q Do you remember being involved in any meetings with</p> <p>9 James O'Grady relating to Shannon or Danny's assignment?</p> <p>10 A I don't recall.</p> <p>11 Q Do you recall being involved -- and you knew</p> <p>12 Nicholas Roti. How long did you know Nicholas Roti for?</p> <p>13 A A number of years.</p> <p>14 Q More than ten?</p> <p>15 A Possibly.</p> <p>16 Q Do you remember Nicholas being involved in any</p> <p>17 meetings where Nicholas Roti was present concerning the</p> <p>18 assignment of Shannon or Danny?</p> <p>19 A Not that I can recall offhand.</p> <p>20 Q Do you know Sergeant Maurice Barnes by any chance?</p> <p>21 A I may but I can't recall.</p> <p>22 Q Okay. Do you know Lieutenant Robert Cesario?</p> <p>23 A I do but I don't know how long I've known him.</p> <p>24 Q Do you know what way you came to know him?</p>

<p style="text-align: right;">Page 46</p> <p>1 A No. Some people I'm familiar with because I was at 2 the training academy for six years and so people came 3 through there, so -- 4 Q Joseph Salemme, S-a-l-e-m-m-e? 5 A Yes, I know him. 6 Q Do you know him socially? 7 A No. 8 Q In terms of do you consider yourself social friends 9 with Juan Rivera? 10 A No, no. 11 Q How about Debra Kirby? 12 A No, not socially, friends, colleagues but not 13 socially. 14 Q Friends through work? 15 A Friends through work, yes. 16 Q James O'Grady, social friend? 17 A No. 18 Q Friends through work? 19 A Just acquaintance. 20 Q Nick Roti? 21 A Again more of an acquaintance. 22 Q Deborah Pascua, would you consider that a friend 23 through work or -- 24 A More of an acquaintance.</p>	<p style="text-align: right;">Page 48</p> <p>1 they were somewhere else at the time of the meeting? 2 A I don't recall. 3 Q A time due slip, do you know what a time due slip 4 is? 5 A I know what a time due slip is but -- 6 Q Were you aware that they had called and asked for a 7 meeting the day before you met with Patrick Smith? 8 A I don't recall. 9 Q And that they were told to come in for a meeting 10 the next day after they called? 11 A I don't recall. 12 Q Do you know how it was that the meeting with 13 Patrick Smith was set up? 14 A No, I don't recall. 15 Q Do you recall that Patrick Smith -- at all how the 16 fact that Patrick Smith came in separate from Danny and 17 Shannon? 18 A I don't recall who came in first or -- 19 Q Do you remember having a discussion with Patrick 20 Smith before or at least separate from Danny and Shannon? 21 A I don't remember. 22 Q In terms of when you met with -- first met with 23 Danny and Shannon, they never used the term Brass Tax, 24 correct?</p>
<p style="text-align: right;">Page 47</p> <p>1 Q What about Adrian Stanley? 2 A More of a friend. 3 Q So that would be more of a friend? 4 A More of a friend, right, relationship with 5 Commander Stanley. 6 Q Do you know a Thomas Mills? 7 A I don't recall. 8 Q Obviously you've met a lot of people over the 9 course of -- I'm not even going to say how many years but -- 10 if we could take a couple minute break. I don't think it's 11 going to be much longer. Maybe my guess at this point is 12 ten minutes more. 13 (Brief recess was taken.) 14 BY MR. SMITH: 15 Q I'm going to take you back to the meeting where you 16 first met with Patrick Smith and you first talked with 17 Shannon and Danny about the investigation. How was Shannon 18 and Danny's appearance to meet with you arranged? 19 A You know, I don't recall specifically. 20 Q Were you aware that Danny and Shannon called and 21 made an appointment with you? 22 A That's quite possible. I just don't recall. 23 Q And were you aware that Danny and Shannon would 24 have put in a slip for their time to come in reflecting that</p>	<p style="text-align: right;">Page 49</p> <p>1 A I don't recall. 2 Q Okay. Is it fair to say that if you got a message 3 from an officer, even an officer you didn't know and -- when 4 you were the head of IAD, if they had requested a meeting 5 with you that was confidential that you would have honored 6 that and most likely arranged for a meeting? 7 MR. KING: Objection to the form and lack of foundation, 8 calls for a hypothetical. You can answer it. 9 THE WITNESS: Hypothetically speaking it's probable. 10 BY MR. SMITH: 11 Q Because you understand as chief of IAD if somebody 12 has something confidential, it may well be something that 13 needs to be private and protected information? 14 A If an officer -- even if I wasn't head of IAD, if a 15 member wants to talk to me in private, I normally honor that 16 request with a supervisor present. 17 Q And do you know who Barb West is? 18 A Yes. 19 Q Who was she when you were the chief of IAD? 20 A When I was chief of IAD she was my lieutenant over 21 at confidential investigations. 22 Q And at times would she tell you if somebody was 23 requesting a meeting? 24 A She could but --</p>

<p style="text-align: right;">Page 50</p> <p>1 Q Taking you to the point in time where you were 2 involved in helping Danny and Shannon get reassigned to your 3 Unit 126 at the time, do you recall finding out that they 4 were sent from the -- to the academy before being sent to 5 your unit? 6 A Yes. They told me, I believe, in the E-mail or 7 text message. I knew that they were at the academy and were 8 leaving there possibly to go to 15th. 9 Q And do you recall that they were taken off Brass 10 Tax abruptly at that time? 11 A All I know was that they were at the academy and 12 were possibly being detailed to the 15th District. 13 Q Do you have any idea why they were taken off Brass 14 Tax at that time? 15 A No. 16 Q Were you aware that -- do you know who Jill Stevens 17 is? 18 A A sergeant, I believe. 19 Q Were you aware that at the time that they were 20 being taken out of Detail 543 that Jill Stevens asked for 21 documents and a statement relating to the nature of what 22 Danny and Shannon were doing in 543? 23 A I never spoke to Jill Stevens. 24 Q Were you aware that Juan Rivera was contacted by</p>	<p style="text-align: right;">Page 52</p> <p>1 Q Were you aware that it was an -- over a ten year 2 investigation? 3 A I don't recall specifically. 4 Q When you were being briefed about -- were you 5 briefed at all from the F.B.I. about what was going on in 6 the investigation? 7 A I would meet monthly with the F.B.I. to discuss all 8 confidential investigations including the Watts 9 investigation. 10 Q And when you were briefed by the investigation -- 11 by the F.B.I., did they tell you that they were 12 investigating the entire Watts team? 13 A Anything prior -- anything leading from the 14 investigation was -- so all of it, I mean, Watts and any of 15 his people who worked with him. That's always understood. 16 Q Were they giving you names of some of the people 17 that were underneath him that they suspected of wrongdoing? 18 A Well, we know Mohammed was arrested with him. 19 Q Were they telling you in terms of during the 20 investigation the names of other officers who, for instance, 21 were identified by informants or arrestees of indicating 22 that other officers on his team were actively involved in 23 extortion and things of that nature? 24 A I don't recall any specifics of that nature.</p>
<p style="text-align: right;">Page 51</p> <p>1 Danny Echeverria about the move to -- being taken off Brass 2 Tax and being sent to the academy? 3 MR. KING: Just object to the -- I'll withdraw it. Go 4 ahead. 5 THE WITNESS: I wasn't present in any conversation 6 between Danny and Chief Rivera. 7 BY MR. SMITH: 8 Q Were you at any meeting where -- with either Debra 9 Kirby or Juan Rivera or Beatrice Cuello relating to their 10 move, Danny and Shannon's being taken off Brass Tax and 11 being sent to the academy? 12 A No. 13 Q Did you learn that Patrick Smith was considered at 14 one point in time a rogue agent or an agent who was having 15 problems in terms of with the F.B.I. itself? 16 A Danny and Shannon told me that Patrick Smith was no 17 longer a member of the F.B.I. 18 Q When was that? 19 A I don't remember exactly when. 20 Q In terms of when you were briefed about the -- when 21 you first came to IAD you were briefed about the Watts 22 investigation, how long was it your belief that the Watts 23 investigation had been going on for? 24 A I don't recall but at least prior to 2008.</p>	<p style="text-align: right;">Page 53</p> <p>1 Q Do you recall any specifics of what they told you 2 Watts was doing? 3 A Just what he was arrested for. 4 Q And -- 5 A I went to the federal complaint. 6 Q Do you know what he was federally charged with? 7 A Just as far as extortion and stealing money and so 8 forth. 9 Q Were you aware that the initial developments and 10 surveillance and the stings where Watts was seen doing 11 illegal things wasn't used in that investigation, that a 12 subsequent sting was used? 13 A I can't say. 14 Q So as you sit here today do you remember any of the 15 details about how -- what you were being told during the 16 time you were chief of IAD of how Watts was operating in 17 terms of the criminal activity he was doing? 18 A I don't recall specifics of those discussions. 19 Q Do you remember anything about the extent of how 20 big his organization was that was working with him? 21 A No, I don't recall. 22 Q Has your opinion in terms of Danny and Shannon 23 being good police officers changed in any way at this time? 24 A No.</p>

<p style="text-align: right;">Page 54</p> <p>1 MR. SMITH: Nothing further.</p> <p>2 MR. KING: No questions. We'll reserve.</p> <p>3 MR. SMITH: We'll order it.</p> <p>4 MR. KING: I'll take a copy.</p> <p>5 DEPONENT FURTHER SAITH NOT.</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 56</p> <p>1 DEPOSITION REVIEW</p> <p>2 CERTIFICATION OF WITNESS</p> <p>3 ASSIGNMENT NO: 1975326</p> <p>4 CASE NAME: Spaulding v. City Of Chicago</p> <p>5 DATE OF DEPOSITION: 12/5/2014</p> <p>6 WITNESS' NAME: Skahill</p> <p>7 In accordance with the Rules of Civil</p> <p>8 Procedure, I have read the entire transcript of</p> <p>9 my testimony or it has been read to me.</p> <p>10 I have made no changes to the testimony</p> <p>11 as transcribed by the court reporter.</p> <p>12</p> <p>13 Date Tina Skahill</p> <p>14 Sworn to and subscribed before me, a</p> <p>15 Notary Public in and for the State and County,</p> <p>16 the referenced witness did personally appear</p> <p>17 and acknowledge that:</p> <p>18 They have read the transcript;</p> <p>19 They signed the foregoing Sworn</p> <p>20 Statement; and</p> <p>21 Their execution of this Statement is of</p> <p>22 their free act and deed.</p> <p>23</p> <p>24 I have affixed my name and official seal</p> <p>25 this ____ day of _____, 20____.</p> <p>____</p> <p>Notary Public</p> <p>____</p> <p>Commission Expiration Date</p>
<p style="text-align: right;">Page 55</p> <p>1 STATE OF ILLINOIS)</p> <p>2) ss:</p> <p>3 COUNTY OF C O O K)</p> <p>4</p> <p>5 I, Linda M. Benda, C.S.R., Notary Public, do</p> <p>6 hereby certify that I reported in shorthand the testimony</p> <p>7 held at the deposition of Tina Skahill on December 5, 2014,</p> <p>8 and that this transcript is a true and accurate</p> <p>9 transcription of my shorthand notes so taken, to the best of</p> <p>10 my ability, and contains all of the proceedings given at</p> <p>11 said deposition.</p> <p>12</p> <p>13</p> <p>14 <%Signature%></p> <p>15 Linda M. Benda</p> <p>16 No. 084-003550</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 57</p> <p>1 DEPOSITION REVIEW</p> <p>2 CERTIFICATION OF WITNESS</p> <p>3 ASSIGNMENT NO: 1975326</p> <p>4 CASE NAME: Spaulding v. City Of Chicago</p> <p>5 DATE OF DEPOSITION: 12/5/2014</p> <p>6 WITNESS' NAME: Skahill</p> <p>7 In accordance with the Rules of Civil</p> <p>8 Procedure, I have read the entire transcript of</p> <p>9 my testimony or it has been read to me.</p> <p>10 I have listed my changes on the attached</p> <p>11 Errata Sheet, listing page and line numbers as</p> <p>12 well as the reason(s) for the change(s).</p> <p>13 I request that these changes be entered</p> <p>14 as part of the record of my testimony.</p> <p>15</p> <p>16 I have executed the Errata Sheet, as well</p> <p>17 as this Certificate, and request and authorize</p> <p>18 that both be appended to the transcript of my</p> <p>19 testimony and be incorporated therein.</p> <p>20</p> <p>21 Date Tina Skahill</p> <p>22 Sworn to and subscribed before me, a</p> <p>23 Notary Public in and for the State and County,</p> <p>24 the referenced witness did personally appear</p> <p>25 and acknowledge that:</p> <p>They have read the transcript;</p> <p>They have listed all of their corrections</p> <p>in the appended Errata Sheet;</p> <p>They signed the foregoing Sworn</p> <p>Statement; and</p> <p>Their execution of this Statement is of</p> <p>their free act and deed.</p> <p>I have affixed my name and official seal</p> <p>this ____ day of _____, 20____.</p> <p>____</p> <p>Notary Public</p> <p>____</p> <p>Commission Expiration Date</p>

<p style="text-align: right;">Page 58</p> <p>1 ERRATA SHEET</p> <p>2 VERITEXT LEGAL SOLUTIONS MIDWEST</p> <p>3 ASSIGNMENT NO: 1975326</p> <p>4 PAGE/LINE(S) / CHANGE /REASON</p> <p>5 _____</p> <p>6 _____</p> <p>7 _____</p> <p>8 _____</p> <p>9 _____</p> <p>10 _____</p> <p>11 _____</p> <p>12 _____</p> <p>13 _____</p> <p>14 _____</p> <p>15 _____</p> <p>16 _____</p> <p>17 _____</p> <p>18 _____</p> <p>19 _____</p> <p>20 Date Tina Skahill</p> <p>21 SUBSCRIBED AND SWORN TO BEFORE ME THIS _____</p> <p>22 DAY OF _____, 20____.</p> <p>23 _____</p> <p>24 Notary Public</p> <p>25 _____</p> <p> Commission Expiration Date</p>	
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Exhibit F

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CHICAGO POLICE OFFICER SHANNON)
SPALDING and CHICAGO POLICE)
OFFICER DANIEL ECHEVERRIA,)
)
Plaintiffs,)
)
vs.) 12 C 8777
)
CITY OF CHICAGO, et al.,)
)
Defendants.)

Deposition of NICHOLAS ROTI, taken before
Linda M. Benda, C.S.R., Notary Public, in the County of Cook
and State of Illinois, at One North LaSalle Street, Suite
3040, Chicago, Illinois, on the 3rd day of December 2014, at
the hour of approximately 9:30 o'clock a.m.

<p style="text-align: right;">Page 2</p> <p>1 2 APPEARANCES: 3 4 5 CHRISTOPHER SMITH TRIAL GROUP, by MR. CHRISTOPHER SMITH One North LaSalle Street, Suite 3040 6 Chicago, IL 60602 (312) 432-0400 7 8 On behalf of the Plaintiffs; 9 10 DRINKER, BIDDLE & REATH, by MR. ALAN S. KING 191 North Wacker Drive, Suite 3700 11 Chicago, IL 60606 (312) 569-1334 12 13 On behalf of the Defendants. 14 15 16 17 18 19 20 21 22 23 24</p>	<p style="text-align: right;">Page 4</p> <p>1 (Witness sworn.) 2 NICHOLAS ROTI, 3 called as a witness herein, having been first duly sworn, 4 was examined upon oral interrogatories and testified as 5 follows: 6 EXAMINATION 7 by Mr. Smith: 8 Q Please state your name for the record. 9 A My name is Nicholas Roti, R-o-t-i. 10 Q And have you ever given a deposition before? 11 A Yes. 12 Q Approximately how many times? 13 A Over ten. 14 Q Were you a defendant in a lawsuit for any of those? 15 A Yes. 16 Q And how many times would you say that would be the 17 case? Well, let's stick with -- were any of them work 18 related? 19 A Most, if not all. 20 Q How many times did you give a deposition in cases 21 that you were a defendant? 22 A You know, I said over ten earlier, but it's right 23 around ten, I would guess. I don't know exactly. 24 Q Do you remember the names of any of them?</p>
<p style="text-align: right;">Page 3</p> <p>1 INDEX 2 3 WITNESS: PAGE 4 NICHOLAS ROTI 5 Examination by Mr. Smith 4 6 7 8 EXHIBITS 9 Exhibit No. 1 80 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24</p>	<p style="text-align: right;">Page 5</p> <p>1 A I mean, one was a car accident. I do not remember 2 the name. 3 Q Anything where you ended up going to trial? 4 A I went to trial once. 5 Q What case was that? 6 A I do not remember the plaintiff's name because it 7 was literally back in like 1987 or '8 or something. It was 8 a very long time ago. It was claimed he got injured during 9 an arrest. 10 Q What was your position? I'm not going to ask you 11 about the facts. 12 A I was a police officer. 13 Q Okay. Now, how are you currently employed? 14 A The Chicago Police Department. 15 Q As what -- in what position? 16 A I am the chief of the Bureau of Organized Crime. 17 Q And in terms of the narcotics unit, Unit 189, would 18 that be underneath the Bureau of Organized Crime or within? 19 A Yes. 20 Q How long have you been the chief of the Bureau of 21 Organized Crime? 22 A I've been the chief since 2010, so a little more 23 than four years. 24 Q And what position did you hold before that?</p>

<p style="text-align: right;">Page 6</p> <p>1 A I was -- immediately before this I was the deputy 2 chief in the Bureau of Organized Crime. 3 Q How long were you the deputy chief? 4 A Almost two years, I believe. 5 Q What was your position before that? 6 A I was an acting deputy chief. Well, I think part 7 of the time I was actually a promoted deputy chief, but I 8 was a deputy chief in the detective division for a period 9 before that, not very long, though, less than a year. 10 Q What was your position before that? 11 A The commander of the narcotics section. It used to 12 be called the narcotics section as opposed to now it's the 13 narcotics division, but that was only for approximately five 14 months. 15 Q What was the position before that? 16 A Commander of the gang -- it's currently called the 17 gang investigations division. I believe it was called gang 18 intelligence section back then. 19 Q And the position before that? 20 A I was commander in -- I don't remember the exact 21 name of the unit, but it was like a management 22 accountability unit. That was for a short time, less than a 23 year. 24 Q What did you do before that?</p>	<p style="text-align: right;">Page 8</p> <p>1 Q This is not meant to be a quiz. 2 A I was a police officer. I had various duties 3 during that time from public transportation section to 4 Seventh District tactical team to -- yeah, I mean, various 5 assignments. 6 Q Were you ever personally a police officer in a 7 narcotics unit? 8 A No. 9 Q Were you ever a police officer in a unit that would 10 be underneath the label organized crime? 11 A No. 12 Q Okay. And just so -- when did you start with the 13 Chicago Police Department? 14 A June of 1986. 15 Q Did you have any career before you became a police 16 officer? 17 A I did some construction work, and I was going to 18 college and school. I started when I was relatively young. 19 Q All right. In terms of your position as -- well, 20 first of all, you're aware that you're here -- did you 21 review any documents in preparation for this deposition? 22 A I reviewed the lawsuit. I reviewed -- I mean, what 23 time period are you talking? Just in general? 24 Q Yesterday, the day before.</p>
<p style="text-align: right;">Page 7</p> <p>1 A Before that I was the commanding officer/lieutenant 2 in the -- for the homicide unit for Area 4, detective 3 division. 4 Q And before that? 5 A I was the lieutenant commanding officer in the 6 detective division for Area 2, robbery, burglary and theft 7 section or unit. 8 Q And before that? 9 A I was lieutenant. I was a tactical lieutenant in 10 the Second District. 11 Q And before that? 12 A I was the watch commander in the Fifth District at 13 the rank of the lieutenant. 14 Q And then before that? 15 A I was a sergeant in the Sixth District. 16 Q And before that? 17 A I was a sergeant in public transportation section. 18 Q Before that? 19 A I was a sergeant in the Second District. 20 Q And before that? 21 A We're getting back into like the '80s and the 22 early -- 23 Q You're doing much better than most people. 24 A -- early '90s now.</p>	<p style="text-align: right;">Page 9</p> <p>1 A Not in the last few days. 2 Q Today? 3 A I mean, but over time when I tried to search for 4 documents that might be related to this, I definitely looked 5 at things via either E-mails when I was searching to see if 6 there was anything or I located the evaluations from way 7 back in 2008, things like that. 8 Q So did you find evaluations? 9 A Yes. 10 Q And did you find any other documents that you felt 11 were related to the lawsuit? 12 A The only thing that I have I think that's -- where 13 I actually have the document in hand would be a note where 14 Daniel Echeverria called my office, and the note was from my 15 administrative assistant to let me know that he called, but 16 I think that's the only like document that I actually 17 possess that I could think of. 18 Q Were you -- I believe Shannon Spalding who was one 19 of the Plaintiffs was assigned to narcotics in approximately 20 May of 2006. Would you have been with the narcotics unit, a 21 commander or a chief or had any assignment related to 22 narcotics back in 2006? 23 A No. I was assigned to the -- as the commander of 24 the gang investigations section or gang intelligence</p>

<p style="text-align: right;">Page 10</p> <p>1 section, whatever.</p> <p>2 Q And in terms of -- in terms of do you recall when</p> <p>3 the first time you heard of Shannon Spalding was?</p> <p>4 A Not exactly but in general, yes.</p> <p>5 Q What do you recall?</p> <p>6 A I recall that when I took over, which was sometime</p> <p>7 in, I believe, March of 2008, like any business or any</p> <p>8 organization that you become the head of, you do an</p> <p>9 evaluation and you talk to your command staff, and I talked</p> <p>10 to the lieutenants that were assigned at the time, and I</p> <p>11 think that's the first time I heard of Shannon Spalding and</p> <p>12 Daniel Echeverria.</p> <p>13 Q Do you remember what lieutenants you spoke to about</p> <p>14 Shannon Spalding?</p> <p>15 A I believe the -- I mean, there were several</p> <p>16 lieutenants in the room, but I believe to my recollection</p> <p>17 the lieutenants that informed me of information about them</p> <p>18 was Lieutenant Robert Cervenka and Lieutenant Navarro.</p> <p>19 Q Do you remember what Lieutenant Navarro said about</p> <p>20 Shannon Spalding?</p> <p>21 A I don't recall exactly who said exactly what, but I</p> <p>22 just recall that they brought their names up and it was</p> <p>23 something along the lines of here's some people you need to</p> <p>24 be aware of because they -- there's some issues with them</p>	<p style="text-align: right;">Page 12</p> <p>1 of them made comments.</p> <p>2 Q Did you speak to any other supervisor of Danny</p> <p>3 Echeverria or Shannon Spalding after you learned of that?</p> <p>4 A Not officially, not to my recollection. I'm not</p> <p>5 going to say I never did, but I don't recall in that time</p> <p>6 period where I really followed up on it. It just kind of</p> <p>7 went into my memory banks and as usual, I would, you know,</p> <p>8 let the lieutenants filter information up to me if there was</p> <p>9 any additional issues that arose.</p> <p>10 Q Did you document that conversation or information</p> <p>11 in any way personally?</p> <p>12 A No.</p> <p>13 Q Did you learn anything of Shannon Spalding or</p> <p>14 Daniel Echeverria's career prior to getting to narcotics?</p> <p>15 A No.</p> <p>16 Q Did you -- were you familiar with the Fentanyl case</p> <p>17 at all?</p> <p>18 A Well, yes.</p> <p>19 Q How were you familiar with that?</p> <p>20 A Well, there was -- there were several -- there was</p> <p>21 a couple different cases involving Fentanyl. There were</p> <p>22 joint -- the one main one that I recall, I was a commander</p> <p>23 in gang investigations, and the main portion of the</p> <p>24 investigation as far as the investigative angle into the</p>
<p style="text-align: right;">Page 11</p> <p>1 personnelwise. They're not getting along with other people</p> <p>2 and their sergeants, and we had to separate them not too</p> <p>3 long ago before I got there. That's not what they said.</p> <p>4 That's what I'm saying. They had to separate them. They're</p> <p>5 on two different teams right now and just generally that</p> <p>6 they did not think very highly of them at the time.</p> <p>7 Q Do you remember specifically anything Lieutenant</p> <p>8 Navarro said about either Danny Echeverria or Shannon</p> <p>9 Spalding?</p> <p>10 A Specifically, no.</p> <p>11 Q Do you remember anything specifically Lieutenant</p> <p>12 Cervenka said about Shannon Spalding or Danny Echeverria?</p> <p>13 MR. KING: Just object to the form of the question. I</p> <p>14 think he's testified to several things already but --</p> <p>15 BY MR. SMITH:</p> <p>16 Q In terms of I'm correct that you're saying that</p> <p>17 generally you didn't know which one said it but --</p> <p>18 A I think they both --</p> <p>19 Q -- do you remember anything specifically from</p> <p>20 Cervenka personally?</p> <p>21 A No. I believe they were both commenting because</p> <p>22 when they were split up, I believe one went to teams that</p> <p>23 would be under Cervenka's supervision and one went to a team</p> <p>24 that would be under Navarro's supervision, so I believe both</p>	<p style="text-align: right;">Page 13</p> <p>1 voluntary manslaughter charges and things like that were</p> <p>2 basically run out of gang investigations. Often gang</p> <p>3 investigations would work hand in hand with narcotics</p> <p>4 section on cases where we would utilize narcotics officers</p> <p>5 to assist in making buys of narcotics, and they would be</p> <p>6 what we would term a joint investigation.</p> <p>7 Q Were you familiar with Shannon Spalding's role in</p> <p>8 any Fentanyl investigations?</p> <p>9 A No, not specifically. There were -- she was not a</p> <p>10 case officer in that case. She didn't run the case. I know</p> <p>11 that. But she might have been involved in some way. Her</p> <p>12 team might have been involved to make buys, but there was --</p> <p>13 she or Dan were not the case officers. They were not</p> <p>14 running the case.</p> <p>15 Q Were you aware of how Shannon Spalding first came</p> <p>16 to the narcotics unit?</p> <p>17 A Was I aware?</p> <p>18 Q Yes.</p> <p>19 A At the time, no.</p> <p>20 Q Did you ever become aware?</p> <p>21 A Not specifically. People have said she didn't go</p> <p>22 through -- they didn't go through the normal process of</p> <p>23 applying and having an interview I've been told. I've been</p> <p>24 told that they worked on some cases when they were in a</p>

<p style="text-align: right;">Page 14</p> <p>1 different unit, either two or housing, that they assisted, 2 and I've been told that someone took a liking to them and 3 asked that they be assigned there or something, but I don't 4 know the detail. It's purely hearsay. 5 Q Do you know who the person was that took a liking 6 to them? 7 A At one point I heard Deputy Chief Michael Cronin, 8 but -- 9 Q Did you hear anything as to why? 10 A No. I mean, not specifically. 11 Q In terms of as chief of the organized crime 12 division, what -- how often would you review officers, 13 individual officers in terms of their kind of reviews and 14 work history? 15 A As chief of the Bureau of Organized Crime, seldom, 16 if ever, would I look into the details of an officer's work 17 history. There's several layers of supervision in between 18 me and the officers, and there's systems in place and I 19 would rely on the commanders and then possibly even a deputy 20 chief who are stationed over at Homan Square, as opposed to 21 me who is stationed at headquarters, to fill me in and 22 update me if there's any issues with officers. 23 Q So there wasn't any -- there wasn't scheduled 24 meetings where you would go over each officer in the unit</p>	<p style="text-align: right;">Page 16</p> <p>1 A During my time as chief, can I remember individual 2 names? If I probably really think about it, but I could say 3 that numerous people over the years have been reassigned out 4 of the Bureau of Organized Crime for various reasons from 5 performance to personnel and personality issues to lack of 6 teamwork to misuse of department equipment. You name it. I 7 mean, virtually -- we have a transfer order every police 8 period, and almost every period some people go out and some 9 people come in. 10 Q Can you think of any name that was told to you when 11 you first came in that was being identified as a problem 12 officer besides Shannon Spalding or Daniel Echeverria? 13 A Off the top of my head I cannot, but I do know 14 on -- there was evaluation forms that were done, and people 15 were evaluated on those forms and some were not evaluated 16 highly, and almost all of those people were subsequently 17 moved out of narcotics at some point. 18 Q After you became chief of the organized crime 19 division did you hear any other -- other than in that 20 initial period where you were being given information about 21 general things within the narcotics division, did you ever 22 hear again of any problems with either Shannon Spalding or 23 Daniel Echeverria? 24 A Well, I mean, the question will be hard to answer</p>
<p style="text-align: right;">Page 15</p> <p>1 and say how's this person doing or how's this person doing? 2 A No. You know, in the Bureau of Organized Crime 3 there's literally like close to a thousand police officers 4 assigned there that would be ultimately under my supervision 5 as the chief. So it's definitely broken down. At the most 6 sometimes we do case reviews, but that's not -- doesn't get 7 into individual officers. It's just we review the cases 8 that they work on. 9 Q After -- with respect to in the initial -- when you 10 initially got there, other than Shannon Spalding and Daniel 11 Echeverria, did you hear about any other potentially problem 12 officers that you were supervising? 13 A Yeah. I mean, I can't recall exactly who but, you 14 know, when you come in -- like I said earlier, when you come 15 in and take over a new command, people generally try to get 16 you up-to-date on what the issues are and what the potential 17 problems might be. I will say that the issues with Officer 18 Spalding and Officer Echeverria were brought up relatively 19 quick, I mean, right in the beginning, and they kind of rose 20 to the level where I recall it as opposed to some of the 21 other personnel. Now -- yeah. 22 Q Can you remember any other personnel that you have 23 been told were -- was a problem during your time as the 24 chief of the organized crime division?</p>	<p style="text-align: right;">Page 17</p> <p>1 because I think you're mixing different time frames and 2 different commands because when I heard about them, I was in 3 narcotics, which was only for about five months, and it 4 wasn't until two plus years later that I became the chief of 5 organized crime. 6 Q Okay. And did you hear anything further between 7 that first initial conversation you had with lieutenants 8 including Navarro and Cervenka between the time you first 9 came to narcotics and the two years later when you became 10 the chief? 11 A Well, during that five-month period that I was in 12 narcotics, after the first initial assessment I recall that 13 at some point there was an issue with Officer Spalding where 14 she was making a buy and I don't recall the details, but 15 something happened where it necessitated backup and 16 enforcement officers to come in. Backup officers, which we 17 call enforcement officers, did come in. And then there was 18 an issue that the surveillance officers who we call the 19 eyeballs that are supposed to be watching her were not the 20 first ones in. The surveillance officers were the first 21 ones in. I mean -- I'm sorry. The enforcement officers 22 were the first ones to assist her, and I recall being told 23 by Lieutenant Navarro and I believe in person and then 24 subsequently -- via E-mail first and then later in person</p>

<p style="text-align: right;">Page 18</p> <p>1 that Shannon Spalding was upset about the incident and that</p> <p>2 she was, as it was put in their terms, bad mouthing the</p> <p>3 other officers and bad mouthing the team and it was causing</p> <p>4 a derision and -- but that they were going to handle it and</p> <p>5 let me know, and I assumed they handled it because I didn't</p> <p>6 hear much about it after that. That was while I was still</p> <p>7 the commander.</p> <p>8 Later, which is -- remember this is only a</p> <p>9 five-month time frame. Not long after that is when I was</p> <p>10 called by Tina Skahill and almost immediately after the call</p> <p>11 from Tina Skahill they were assigned to work, which was</p> <p>12 supposed to be on an as-needed/part-time basis with the</p> <p>13 F.B.I. on the corruption case, but really after that I</p> <p>14 didn't -- the only time I heard of them is when lieutenant</p> <p>15 came in to tell me that he hasn't heard from them and they</p> <p>16 have not been showing up to the narcotics section to work.</p> <p>17 And then I subsequently called Tina Skahill, told her she</p> <p>18 would have to detail them out of narcotics because I</p> <p>19 didn't -- I couldn't keep track of what they were doing, and</p> <p>20 she did, and then after that that's the last I really heard</p> <p>21 of updates on them.</p> <p>22 Q Just so it's clear for the record, what was your</p> <p>23 position during that five-month period?</p> <p>24 A Commander of narcotics.</p>	<p style="text-align: right;">Page 20</p> <p>1 been identified or known as a police officer at that</p> <p>2 location on a previous occasion before the buy?</p> <p>3 A That's the first I heard of that.</p> <p>4 Q And did you instruct in any way the lieutenant to</p> <p>5 figure out why the -- where the surveillance team was during</p> <p>6 this buy?</p> <p>7 A In the lieutenant's E-mail to me he stated that</p> <p>8 they were going to look into it and follow up on it.</p> <p>9 Q Did you ever hear any follow-up in terms of what</p> <p>10 the result of that investigation was?</p> <p>11 A I'm sure I did but I do not recall the details.</p> <p>12 Q Did -- were you aware that Shannon Spalding was a</p> <p>13 victim of a robbery in that incident?</p> <p>14 A I was not aware -- I am not aware of that, no.</p> <p>15 Q Would you have thought that Lieutenant Navarro</p> <p>16 would have made an effort to figure out why his team failed</p> <p>17 to or the surveillance failed to assist her when she was</p> <p>18 being robbed?</p> <p>19 MR. KING: Object to the form of the question, calls for</p> <p>20 speculation, lack of foundation. You can answer if you</p> <p>21 understand it.</p> <p>22 THE WITNESS: Well, I think in the way you're depicting</p> <p>23 it, it's not 100 percent accurate because the -- there's</p> <p>24 eyeball surveillance people that technically get as close as</p>
<p style="text-align: right;">Page 19</p> <p>1 Q What period are we talking about roughly?</p> <p>2 A March 2008 to about August 2008.</p> <p>3 Q And in terms of did you -- that incident with --</p> <p>4 that you heard about from Lieutenant Navarro, did you feel</p> <p>5 Shannon Spalding did anything wrong in that incident?</p> <p>6 A I don't really know because all I -- she didn't do</p> <p>7 anything wrong operationally that I know of. I believe the</p> <p>8 issue with her that was brought to me was just that her</p> <p>9 comments and some of her actions post incident were causing</p> <p>10 some turmoil among the team in the instant, but again the</p> <p>11 lieutenants and the sergeants, that's typically something</p> <p>12 they would handle. We have those issues from time to time.</p> <p>13 As far as operationally whenever there's anything that does</p> <p>14 not go perfectly, we always do an assessment after with the</p> <p>15 lieutenants and try to figure out what went wrong and what</p> <p>16 we can do to improve. So I think the -- that's it.</p> <p>17 Q In terms of were you aware of what the so-called</p> <p>18 bad mouthing comments were?</p> <p>19 A Not specifically.</p> <p>20 Q Did you ever learn why the surveillance team was</p> <p>21 not on the scene first?</p> <p>22 A No.</p> <p>23 Q Did you ever learn that Shannon Spalding had</p> <p>24 indicated before the buy that she was an individual who had</p>	<p style="text-align: right;">Page 21</p> <p>1 they can to observe what's going on and call -- they call in</p> <p>2 for help. I mean, the system has backups in it, and the</p> <p>3 enforcement officers did go in to assist her, so it wasn't</p> <p>4 like the whole system did not work. There was some question</p> <p>5 that Shannon felt and others maybe felt -- I don't know --</p> <p>6 that the enforcement officers were closer and -- I'm sorry.</p> <p>7 The surveillance officers were closer and might have been</p> <p>8 able to assist her, but the enforcement officers who tend to</p> <p>9 be just a little farther away because they're identifiable</p> <p>10 as police officers were the first ones to actually get to</p> <p>11 the scene and then assist her and make the arrest, but I</p> <p>12 don't -- all the details that you're bringing up I'm not</p> <p>13 aware of.</p> <p>14 BY MR. SMITH:</p> <p>15 Q In terms of -- okay. The -- in terms of Shannon's</p> <p>16 thoughts or positions, I assume you're just -- you didn't</p> <p>17 talk with Shannon about that, correct?</p> <p>18 A Correct.</p> <p>19 Q You're just making an assumption of what you</p> <p>20 thought might be the issue?</p> <p>21 A Yes. An assumption based on what I was told from</p> <p>22 Lieutenant Navarro.</p> <p>23 Q Do you know if that incident was -- when you were</p> <p>24 speaking with -- in the initial time you spoke with</p>

<p style="text-align: right;">Page 22</p> <p>1 Lieutenant Navarro and Cervenka about Spalding and 2 Echeverria, did you have any -- did you have a review, a 3 performance review with you at that time? 4 A No, and to be clear, the meeting was not about 5 them. It was a meeting just about general operations and 6 personnel in narcotics. 7 Q Do you know if there was a review, a written review 8 at that point in time, the point in time that you -- did you 9 find any written review for a period that was generated 10 before that meeting indicating anything wrong with either 11 Shannon Spalding or Danny Echeverria? 12 A Before that meeting, which would have taken place 13 in March, no. I had them do a review of all the personnel 14 in narcotics. Sometime around that meeting I told them to 15 do a review, which I received the results of sometime in 16 April of 2008. 17 Q Do you know if the incident with the -- that you 18 spoke to Lieutenant Navarro about with the buy that went 19 wrong was before or after that review in April? 20 A I don't know for sure, but I think it can be nailed 21 down if it had to be. 22 Q By looking at the documents? 23 A Documents. 24 Q And do you know of any specific incident that</p>	<p style="text-align: right;">Page 24</p> <p>1 A Oh, no, it wouldn't have been before that because I 2 didn't even know who they were before that. 3 Q Do you believe it was after that? 4 A Yeah. Sometime after that, I believe. 5 Q Do you know -- do you have any idea how long after 6 that? 7 A I don't. 8 Q Do you know if it was during the time that you were 9 a commander of narcotics? 10 A I really don't recall where I -- who told me or 11 when. 12 Q So in terms of -- you indicated that you then at 13 some point around -- during your time you were commander, I 14 believe, that you contacted Tina Skahill to have Shannon 15 Spalding and Echeverria reassigned? 16 A Well, the technical term would be detailed at that 17 point. 18 Q Okay. And in terms of do you recall approximately 19 when that would have been? 20 A It was approximately four weeks after -- between 21 four and five weeks after Tina Skahill called me to ask if 22 they could work -- if I would allow them to work with the 23 F.B.I. on that case, and it was sometime in -- I don't 24 recall exactly but it was sometime around maybe -- you want</p>
<p style="text-align: right;">Page 23</p> <p>1 either Navarro or Cervenka told you about at your initial 2 meeting where they came up about either Shannon Spalding or 3 Daniel Echeverria that they spoke of? 4 A I don't recall offhand of a specific incident that 5 they told me. I don't recall at this point. 6 Q Do you know how you learned about how Shannon 7 Spalding was brought into the narcotics unit in terms of the 8 information that she might have gotten favor -- I think it 9 was McGrath. Do you know how you learned of that? 10 MR. KING: Just object to the form of the question, 11 misstates his testimony. 12 BY MR. SMITH: 13 Q Do you understand the question? 14 A Do I understand the question? 15 Q I can ask it more generally. Do you know how you 16 got information about how Shannon Spalding came to the unit? 17 A You know, it was a long time ago. I don't recall 18 exactly, but someone said -- told me that -- and I think it 19 was -- I don't know. I really don't know. I'd have to 20 really try to guess to remember who told me. 21 Q Do you know if it was at the time of that initial 22 meeting or conversations with Navarro and Cervenka? 23 A I don't think so. 24 Q Do you know if it was before that?</p>	<p style="text-align: right;">Page 25</p> <p>1 to know when I called her? 2 Q Yes. 3 A When I called her would be sometime in July, I 4 believe. 5 Q Okay. And, first of all, when Tina Skahill called 6 you that was on the phone? 7 A Yes. The first time I heard this ever was put on 8 the table was from a phone call from Tina Skahill to me. I 9 was in my office at Homan Square in narcotics. 10 Q And did you -- what did Tina Skahill say to you? 11 A In essence but not verbatim she said, Nick, there's 12 a case that we're working on and the F.B.I. is working on, 13 and would you allow Shannon Spalding and Daniel Echeverria 14 to work periodically with the F.B.I. because they have an 15 informant that the F.B.I. wants to use to further their 16 case. 17 Q Did you ask her any questions about it? 18 A Not specifically that I recall, but she said -- she 19 told me I knew it was a corruption case. I know it was some 20 type of corruption case, and I knew she said she wanted to 21 keep it quiet obviously. That was -- she didn't want like 22 everyone to know, you know, what was going on there, which 23 is common with all our cases whether it be corruption or a 24 regular investigation. You try to keep that very</p>

<p style="text-align: right;">Page 26</p> <p>1 compartmentalized.</p> <p>2 Q When you say corruption case, are you indicating</p> <p>3 that you knew it was an investigation that somehow had</p> <p>4 something to do with another Chicago Police Officer?</p> <p>5 A Yeah. I'm pretty sure I knew then, but I</p> <p>6 definitely knew a few days later when the F.B.I. came to see</p> <p>7 me.</p> <p>8 Q So -- and did you have any idea of what like area</p> <p>9 the officer that was being investigated would have been</p> <p>10 working in?</p> <p>11 A From Tina Skahill?</p> <p>12 Q Correct.</p> <p>13 A I don't think so. I think later when I talked to</p> <p>14 the F.B.I. maybe I had an idea.</p> <p>15 Q Did you tell anybody about your conversation with</p> <p>16 Tina Skahill at that point in time?</p> <p>17 A I told -- the only people I told, which I didn't</p> <p>18 tell them the details of the conversation, but I told them</p> <p>19 because, of course, people don't just not show up to work or</p> <p>20 disappear. You have to have a reason why. So I told</p> <p>21 their -- I told the lieutenant, Cervenka, I believe, that --</p> <p>22 because I think by that time Navarro might have been</p> <p>23 assigned somewhere else. So I told Cervenka that there's --</p> <p>24 that those two were going to be working with the F.B.I. on a</p>	<p style="text-align: right;">Page 28</p> <p>1 Cervenka, was that over the phone or in person?</p> <p>2 A I'm pretty sure it was in person, my office.</p> <p>3 Q Do you know if anyone else was in for the meeting?</p> <p>4 A No. Just him.</p> <p>5 Q And what system did you set up for checking in</p> <p>6 with -- when they would go to the F.B.I. to work with the</p> <p>7 F.B.I.?</p> <p>8 A I didn't set up a specific system. I told Cervenka</p> <p>9 that they were to notify him when they weren't going to show</p> <p>10 up to work with their teams at the CPD.</p> <p>11 Q And was it to be written or documented in any way?</p> <p>12 A No.</p> <p>13 Q And in terms of was it just to be a phone</p> <p>14 notification or an in-person?</p> <p>15 A A phone notification, but I didn't specify that, to</p> <p>16 be honest with you. I just told them they're supposed to</p> <p>17 notify him.</p> <p>18 Q Do you know if there were any records kept of that?</p> <p>19 A I don't believe there was.</p> <p>20 Q In terms of the F.B.I., you indicated that you</p> <p>21 spoke to them about two days after the Skahill call?</p> <p>22 A Somewhere within a week. I don't remember the</p> <p>23 exact amount of days.</p> <p>24 Q Do you remember who it was --</p>
<p style="text-align: right;">Page 27</p> <p>1 case, but they're to call you -- they're to call you when</p> <p>2 they're not going to show up here to work so that we could</p> <p>3 keep track of when they're here and when they're not here.</p> <p>4 Q Was this --</p> <p>5 A But I didn't tell him why. I told him I can't tell</p> <p>6 you what the details are, and their sergeant isn't to know.</p> <p>7 All he's to know -- well, actually they had two different</p> <p>8 sergeants, which was part of the problem because they</p> <p>9 weren't working together. So I said their sergeants can't</p> <p>10 know. All you got to tell the sergeants is they're working</p> <p>11 on a special project. Someone wants to use a CI or</p> <p>12 something, and periodically they're not going to be working</p> <p>13 with their team.</p> <p>14 Q And do you remember who the two sergeants were back</p> <p>15 then?</p> <p>16 A Yeah. I believe one was Kevin Johnson and one was</p> <p>17 either Roderick Robinson or Roderick Watson. I'm not 100</p> <p>18 percent sure.</p> <p>19 Q And did you have any conversation with them about</p> <p>20 their reassignment?</p> <p>21 A No.</p> <p>22 Q Or detailing?</p> <p>23 A No.</p> <p>24 Q And in terms of when you had the conversation with</p>	<p style="text-align: right;">Page 29</p> <p>1 A Yes.</p> <p>2 Q -- who came to you. Who was it?</p> <p>3 A Agent Patrick Smith and Agent Julie Anderson.</p> <p>4 Q Did they -- where did they speak with you?</p> <p>5 A In my office.</p> <p>6 Q Did they contact you by phone before coming?</p> <p>7 A I'm sure they did, yeah.</p> <p>8 Q Do you remember having any conversation at that</p> <p>9 point in time on the phone?</p> <p>10 A No. They just said they want to come and talk to</p> <p>11 me about, you know, the case and something and what they</p> <p>12 were going to be doing. It was probably more of a courtesy</p> <p>13 than anything.</p> <p>14 Q Did you have any conversation with either Shannon</p> <p>15 Spalding or Daniel Echeverria about the F.B.I. coming to see</p> <p>16 you?</p> <p>17 A No.</p> <p>18 Q Did you call Tina Skahill and let her know that the</p> <p>19 F.B.I. was coming?</p> <p>20 A No.</p> <p>21 Q So who was present for the meeting you had with</p> <p>22 them?</p> <p>23 A Just me and those two.</p> <p>24 Q What did they say to you?</p>

<p style="text-align: right;">Page 30</p> <p>1 A They basically told me, and Patrick Smith did most 2 of the talking as I recall, that they wanted to thank me for 3 letting the two officers work with them. They -- he told me 4 that they had a case. It's been going on for a long time, 5 but there were some snags in the investigation, and this is 6 my term. This is in essence, not verbatim, and that they 7 needed to shore up some parts of the case so they could 8 bring it to charging, and to do that they needed an 9 informant that worked in the area that the case was taking 10 place and that Spalding and Echeverria had a CI that 11 operated and lived and worked in that area, so to speak, 12 that they really just needed the CI but that Echeverria -- 13 Spalding and Echeverria told them that the CI would only 14 work for them and with them, so that's why they needed 15 Spalding and Echeverria so that they could use their CI. 16 I -- without getting into exact details, I 17 knew it was a corruption case. I knew it was about officers 18 that were stealing money from -- probably from dope dealers 19 and gang members, and they told me they were only going to 20 need them on a part-time basis. They didn't need them 21 full-time. They only needed them -- when I say them I mean 22 Spalding and Echeverria. They only needed them when they 23 needed to utilize the informant. They gave me their cards. 24 I said call me if you got -- any issues come up. It was all</p>	<p style="text-align: right;">Page 32</p> <p>1 told Tina that I think it would be best if she officially 2 detailed Spalding and Echeverria to IAD as opposed to this 3 kind of ad hoc favor that we had because we thought this was 4 going to be a shorter term thing and just being used once in 5 a while, coupled with the fact that I was uneasy because it 6 came to my attention that Spalding and Echeverria were not 7 showing up to work at narcotics, and I could not verify 8 through the F.B.I. that they were with them all the time, so 9 we don't operate like that. We don't have officers that 10 just go out without supervision and no one knows where 11 they're at. So I told Tina since I can't really properly 12 supervise them from here, you need to take them, which she 13 said -- and I told her at that point about -- that the 14 F.B.I. told me that they were only going to use them 15 part-time, which she told me in the first place, and also 16 that I did subsequently recontact Agent Smith and ask him if 17 he was utilizing the CI and Spalding and Echeverria every 18 day, which he told me, no, he wasn't. So at that point Tina 19 agreed and she had them detailed out. 20 Q Anything else said in that conversation? 21 A The one to Tina? 22 Q Yes. 23 A No, just basically what I said. I mean, that I was 24 very uneasy and I didn't -- I was very uneasy. I could not</p>
<p style="text-align: right;">Page 31</p> <p>1 very cordial. It wasn't very long, and that was it. 2 Q In terms of -- and this was while you were 3 commander, correct? 4 A Yes. 5 Q And then did you document that in any way? 6 A No. 7 Q And in terms of did they indicate to you that this 8 was related to Public Housing South? 9 A You know, I can't recall exactly. I had an idea of 10 the basic area that this investigation was, but I didn't 11 know like exact addresses and I -- they gave me an idea 12 basically in their comments. I mean, I've been a policeman 13 in the city for a long time. I knew it was projects. I 14 knew it was kind of south. I knew it wasn't Cabrini-Green, 15 so I kind of had an idea where it was. 16 Q Did you tell anybody about that meeting? 17 A At the time, no. 18 Q At any point in time within a year of the meeting 19 did you tell anyone? 20 A I don't know. I mean, not -- no, not while the 21 investigation was going on, no. 22 Q Did you tell Tina Skahill, for instance? 23 A I did -- you know what? That's correct. I did in 24 a subsequent phone call to Tina Skahill -- I forgot -- I</p>	<p style="text-align: right;">Page 33</p> <p>1 account for their time, and I couldn't let this arrangement 2 go on any longer in its present form and she would have 3 to -- if she wanted -- they wanted to keep it going they 4 needed to be detailed so that a supervisor that, you know, 5 had knowledge of the investigation could actually supervise 6 them and know where they were every day and account for all 7 their time. 8 Q Did you make any efforts to verify with the F.B.I. 9 that Shannon Spalding or Daniel Echeverria were working with 10 them on the days they weren't showing up for work? 11 A Yeah. As I stated in that earlier long answer that 12 I called Patrick Smith, and I asked him if he was using -- 13 utilizing them and working with them every day because I 14 have not -- they have not been coming to work at Homan 15 Square. He told me no. He was only using them on a 16 part-time basis. 17 Q In terms of did you ever have a conversation about 18 a specific day? 19 A No. We didn't get into the details. 20 Q In other words, did you ever say, hey, they didn't 21 come in on Friday, were they with you on Friday? 22 A I did not get into the details with them. 23 Q So there was never a day where you determined that, 24 oh, they weren't working at all even though they were</p>

<p style="text-align: right;">Page 34</p> <p>1 claiming to be working?</p> <p>2 A No. The investigation never went that far. I was</p> <p>3 told by the lieutenant that, hey, I have not heard from them</p> <p>4 or seen them in several -- in a couple of weeks, do you know</p> <p>5 if they've been working with the F.B.I. every day, and I</p> <p>6 said I don't know. I will call. That's when I called</p> <p>7 Patrick Smith.</p> <p>8 Q All right. And the -- in terms of did you know</p> <p>9 back when you -- at any time before you were the commander</p> <p>10 of narcotics did you know a Sergeant Ronald Watts?</p> <p>11 A I know the name. I don't know that I know him</p> <p>12 personally. I don't think so. I think I know his face</p> <p>13 maybe because he was on TV, but I think I've crossed paths</p> <p>14 with him. I used to be a sergeant in the Second District</p> <p>15 and I don't know for sure, but I think he might have worked</p> <p>16 in housing at the time or something. I don't really know.</p> <p>17 Q And the Second District is the district where</p> <p>18 Public Housing South would be?</p> <p>19 A It covers part of the -- what used to be the Robert</p> <p>20 Taylor Homes were in the Second District and Housing South</p> <p>21 covered parts of that as well as some other -- Ickes and</p> <p>22 some other -- not Ickes. It's another housing project. I</p> <p>23 can't think of the name of it but --</p> <p>24 Q In terms of when were you at the Second District?</p>	<p style="text-align: right;">Page 36</p> <p>1 I said, that's what I mean by not directly because, you</p> <p>2 know, a sergeant is a sergeant for everybody, anyone that's</p> <p>3 a PO, but you don't directly supervise them unless a need</p> <p>4 arises, but in general, though, no.</p> <p>5 Q As a tactical lieutenant what kind of a unit are</p> <p>6 you supervising?</p> <p>7 A Those are general -- tactical officers are officers</p> <p>8 in the district. You're assigned to the district, and they</p> <p>9 are officers that work in quasi civilian dress. They can</p> <p>10 easily transform themselves to be identifiable police</p> <p>11 officers, to put themselves in a dress manner that they can</p> <p>12 be not technically undercover but they can blend in and do</p> <p>13 surveillance, and they generally focus on gangs, narcotics,</p> <p>14 burglaries, shootings, any of the major problems. They're</p> <p>15 kind of a district's problem solvers as opposed to a regular</p> <p>16 beat officer who answers calls that come in and is in</p> <p>17 uniform.</p> <p>18 Q Do you know Ernie Brown?</p> <p>19 A Yes.</p> <p>20 Q How long have you known Ernie Brown?</p> <p>21 A I made lieutenant with Ernie Brown, but I didn't</p> <p>22 know him in 1998. I mean, I don't recall ever really</p> <p>23 knowing him to where you could say like I'd have a</p> <p>24 conversation with him till years later when he was -- he was</p>
<p style="text-align: right;">Page 35</p> <p>1 A I was assigned to the Second District as a sergeant</p> <p>2 in -- sometime in 1994 for over -- I want to say till -- and</p> <p>3 this is all documented somewhere, so I don't know the exact</p> <p>4 dates. I mean, we could pull personnel files, but I want to</p> <p>5 say sometime till around '96-ish for two years or so, and</p> <p>6 then I was -- I went somewhere else. And then later I went</p> <p>7 back to the Second District as a tactical lieutenant and</p> <p>8 that was sometime around -- and again this could be</p> <p>9 verified. I don't have the exact dates. I want to say</p> <p>10 around 2000-ish.</p> <p>11 Q For how long?</p> <p>12 A I was there as a tac lieutenant for at least a</p> <p>13 year, maybe a little bit longer.</p> <p>14 Q As a sergeant did you supervise in any way any</p> <p>15 public housing officers?</p> <p>16 A No.</p> <p>17 Q And as a --</p> <p>18 A Not directly.</p> <p>19 Q When you say -- well, as a sergeant did you ever</p> <p>20 work with Public Housing South teams?</p> <p>21 A No, not in -- I don't recall any joint operations</p> <p>22 but, you know, you show up on a scene of a shooting or</p> <p>23 something. There might be some public housing officers</p> <p>24 there and there's some of your officers, but I don't -- like</p>	<p style="text-align: right;">Page 37</p> <p>1 the -- he came back as the chief of organized crime, and I</p> <p>2 think I was the deputy chief at the time, and that's where I</p> <p>3 got to know him. But, I mean, I knew of him because there's</p> <p>4 only so many people at certain ranks, but I didn't really</p> <p>5 know him.</p> <p>6 Q Did you ever tell Ernie Brown about your</p> <p>7 conversations with the F.B.I. concerning Shannon Spalding</p> <p>8 and Danny Echeverria?</p> <p>9 A Ernie Brown was not in organized crime at that</p> <p>10 time. The chief was Frank Limon and due to the nature of</p> <p>11 the thing, I don't recall even mentioning it much to Frank</p> <p>12 Limon to tell you the truth. If I did, it was just like,</p> <p>13 hey, we got some guy -- but I don't recall specifically</p> <p>14 mentioning it to him, and Ernie Brown wasn't -- he was -- I</p> <p>15 think at that point he got -- for some issue he was a -- he</p> <p>16 was not in organized crime. I'm not sure where he was.</p> <p>17 Maybe in a detective division maybe, but I don't know at</p> <p>18 that time.</p> <p>19 Q In terms of -- you mentioned detailing out. I</p> <p>20 mean, it is -- when you're a commander of narcotics or even</p> <p>21 in your current position, you're aware that sometimes</p> <p>22 officers who are assigned to narcotics are detailed out to</p> <p>23 other assignments?</p> <p>24 A Yeah. People sometimes get detailed out, detailed</p>

<p style="text-align: right;">Page 38</p> <p>1 in. Sometimes you might get detailed from narcotics to 2 gangs, you know, within the Bureau of Organized Crime. In 3 fact, it's kind of a messy system. I'm not really sure how 4 it developed over time. Details were meant to be temporary, 5 and at some point in the department they became long-term 6 and were almost synonymous with reassignment. I know 7 currently in the last -- we're trying to clean up details. 8 We're trying to get away from that practice and just either 9 assigning people or if it's a detail, it's only temporary 10 for a certain amount of days because of the nature that it 11 is a little sloppy.</p> <p>12 Q Well, in terms of some details are clearly just for 13 a temporary period, correct?</p> <p>14 A Yes.</p> <p>15 Q I mean, it might be like a summer-type assignment?</p> <p>16 A Yes.</p> <p>17 Q And what is the normal -- can you give me an 18 example of a summer-type assignment? You know more than I 19 do.</p> <p>20 A The only ones I could think of offhand that are 21 kind of like a -- set details, we used to -- I don't think 22 we do anymore. We used to have what was called summer 23 mobile where someone would get -- they pull people from 24 districts usually on a volunteer basis and assign them to</p>	<p style="text-align: right;">Page 40</p> <p>1 Q At the end of the detail, even if it was a long 2 detail, where would the -- where would those people go? I 3 mean, would they come back to their prior assignments?</p> <p>4 MR. KING: Just object to the form of the question, lack 5 of foundation. Are you just asking generally?</p> <p>6 MR. SMITH: Let me withdraw it. It was a little too 7 vague.</p> <p>8 BY MR. SMITH:</p> <p>9 Q In terms of -- first of all, for an assignment 10 with, you know, a term like the summer assignment you spoke 11 of, was there -- was any type of paperwork that was done to 12 get them back in their regular assignment, back in their 13 narcotics unit?</p> <p>14 MR. KING: Just object to the form as well.</p> <p>15 MR. SMITH: Do you understand?</p> <p>16 MR. KING: If you know, I guess.</p> <p>17 THE WITNESS: In the example you're giving where there 18 is a very defined term of the detail, no. They would 19 usually just go back to where they came from because that 20 was part of the agreement on that detail, and they'll 21 define -- and that defined -- a very defined detail.</p> <p>22 BY MR. SMITH:</p> <p>23 Q When there wasn't a defined detail, how would 24 people get reassigned back into narcotics?</p>
<p style="text-align: right;">Page 39</p> <p>1 the lakefront for the summer months, but then after it was 2 over they'd go back to their districts.</p> <p>3 Q Was there a procedure in place to -- in terms of 4 how procedurally they would be reassigned back to their 5 prior assignment?</p> <p>6 A No. See, kind of the difference is is when -- as 7 opposed to what details developed into and what most details 8 are is like with summer mobile when they had that, it was 9 specified the day you signed up for it you will -- you know, 10 from -- and I'm guessing, say from June 1st to September 11 1st, you know, you'll be detailed to summer mobile, at which 12 point, you know, you go back to your unit of assignment. 13 Now, there's all kinds of other details where people get 14 detailed from the patrol division into narcotics, from -- or 15 organized crime or to any other unit or out of -- I mean, as 16 a matter of fact, I just cleaned up a detail long ago where 17 people were detailed in for over eight years into -- from 18 patrol their technical assignment was a district or the 19 detective division, and they were working in narcotics or 20 gang investigations for six, seven, eight years. And I -- 21 recently we've been making efforts to try to clean those up 22 because it's just -- details became synonymous almost with 23 assignments. There was almost no delineation between the 24 two, and it's not what they were meant to be.</p>	<p style="text-align: right;">Page 41</p> <p>1 MR. KING: Just object to the form of the question.</p> <p>2 MR. SMITH: Or moved back in. Let's put it that way.</p> <p>3 THE WITNESS: Well --</p> <p>4 MR. KING: Again object to the form, lack of foundation.</p> <p>5 THE WITNESS: Kind of a hard question to answer because 6 generally people from narcotics didn't go to details like 7 summer mobile. So, I mean, you know, you're specifying 8 narcotics, and I don't recall that ever, you know, occurring 9 like that where they would go to a summer mobile detail. 10 That's usually a district draw type of detail.</p> <p>11 BY MR. SMITH:</p> <p>12 Q So let's go to a district draw --</p> <p>13 A And the reason is -- the reason is why it's a hard 14 question to answer, because all of the units in the Bureau 15 of Organized Crime are managerial units, which means they're 16 not subject to the same contract provisions that people 17 assigned in patrol, detective division, et cetera, are 18 assigned to. We don't have -- you can't bid into narcotics. 19 You can't get into narcotics, but I'm just saying narcotics 20 in general, but any unit in organized crime based on 21 seniority. It's all managerial. It's 100 percent 22 managerial assignment, so that's why it's very hard to 23 define in the terms.</p> <p>24 Q Well, how would it work if somebody was assigned</p>

<p style="text-align: right;">Page 42</p> <p>1 managerially to the narcotics unit, how would one be removed 2 from that assignment?</p> <p>3 A Well, it kind of depends on time period a little 4 bit. About five years ago and earlier or more, literally 5 people could be assigned there and if they were not working 6 out, they were not -- and even now to a point it's the same. 7 They could be assigned out of any unit in organized crime 8 based on the recommendations of the chain of the organized 9 crime command. So generally it would be the commander up to 10 the deputy chief up to the chief, so -- and people are 11 reassigned every day -- I'm sorry. Every period they're 12 assigned out.</p> <p>13 Generally in the last at least five years or 14 so there's been a little bit of a shift to where -- and I'm 15 part of that to where we've been requiring a little bit of 16 extra documentation because even though it's a managerial 17 unit, there have been people that have filed grievances and 18 said, well, I was moved out of there without cause, and so 19 we have to backtrack then. Now we make sure we have 20 paperwork that delineates. It doesn't have to be a lot but 21 at least shows that there are reasons, and it isn't 22 arbitrary. I'm very firm on that. All the commanders know. 23 It's been like that as I was a deputy chief ever. You have 24 to give -- you have to have a defined reason why you want</p>	<p style="text-align: right;">Page 44</p> <p>1 A Originally -- I'm trying to think who was the 2 commander at the time. Some supervisor in vice mentioned it 3 to me, and I don't recall if it was Hector Rodriguez who was 4 the commander or one of the lieutenants like Ozzie Valdez 5 maybe. Someone mentioned it to me, and then they called 6 Mary Legittino over and she kind of told me about what 7 happened, and she told me she had a CR number on him. I 8 said, okay, well --</p> <p>9 Q Who's Mary Legittino?</p> <p>10 A Mary Legittino is a police officer. She worked in 11 vice and I came to know later was the mother of the 12 complainant in the CR number in question as well as the 13 mother of another police officer who is somehow involved in 14 the incident and had knowledge of it.</p> <p>15 Q Do you know why Hector Rodriguez would have come to 16 you to tell you about that?</p> <p>17 MR. KING: Just object to the form.</p> <p>18 MR. SMITH: I'm sorry if I said the name wrong.</p> <p>19 MR. KING: Just object to the form and lack of 20 foundation. I don't think he testified who it was 21 definitely.</p> <p>22 BY MR. SMITH:</p> <p>23 Q Do you know why Rodriguez came to you?</p> <p>24 A No. I think someone came to me just because</p>
<p style="text-align: right;">Page 43</p> <p>1 somebody -- we don't just move people out because we just 2 don't like them. There has to be reasons.</p> <p>3 Q In terms of you would agree if somebody was 4 assigned to the narcotics unit, 181, and they were detailed 5 out to another assignment or detailed out outside the unit 6 that, managerially speaking, they were technically still 7 assigned to the narcotics unit?</p> <p>8 A Yes. If that was their assignment, they are 9 assigned -- that's their -- on paper assigned, yeah.</p> <p>10 Q In terms of in -- well, when you were moved or two 11 years later when you became a chief --</p> <p>12 A That would be around 2010.</p> <p>13 Q Around 2010, did you hear anything in between that 14 five-month period when you were commander and when you 15 became a chief about -- more about Shannon Spalding or that 16 F.B.I. assignment or Danny Echeverria?</p> <p>17 A In the time frame between there did I hear 18 anything? The only thing I recall hearing -- I didn't hear 19 anything about their work over there. I recall hearing 20 briefly about the incident that resulted in the CR number 21 where they -- there was some incident with Shannon Spalding 22 and a dog and some whole big mess with that.</p> <p>23 Q Do you know who you heard that about -- from 24 rather?</p>	<p style="text-align: right;">Page 45</p> <p>1 Officer Legittino was very upset about the incident, and I 2 believe that the complainant, her son, was just out of the 3 military and, you know, she was upset about it. It was 4 almost like they mentioned it to me in passing, and it was 5 such an odd type of incident, and I think they brought it up 6 to me because of the fact that Spalding and Echeverria, you 7 know, had a connection to organized crime and narcotics and 8 because of, you know, they were working there at one time.</p> <p>9 Q What was your position at that point in time when 10 you heard about the CR?</p> <p>11 A I think I was deputy chief.</p> <p>12 Q Of?</p> <p>13 A Organized crime, I think, because, yeah, I was in 14 the building, I remember. I was at Homan Square.</p> <p>15 Q Do you know if it was an ongoing CR at the time you 16 heard about it?</p> <p>17 A I think I heard about it like -- as I recall, and I 18 don't know the date, but my sense is that I heard about it 19 relatively soon after it happened, the incident happened. 20 But then I didn't hear about it again until at least a year 21 or more later when it came up through command channel 22 review. The investigation came up through command channel 23 review and I saw it in my queue on-line.</p> <p>24 Q Were you a part of the command channel review of</p>

<p style="text-align: right;">Page 46</p> <p>1 that CR?</p> <p>2 A Yes.</p> <p>3 Q Did you do anything in connection with that command</p> <p>4 channel review?</p> <p>5 A Well, you have options. You could concur or not</p> <p>6 concur, and I concurred with the findings of the</p> <p>7 investigation.</p> <p>8 Q Did you in any way indicate that you had prior</p> <p>9 conversations with Mary Legittino about the incident?</p> <p>10 A No.</p> <p>11 Q Did you feel that that was any way a conflict in</p> <p>12 your being involved in the command channel review?</p> <p>13 A Not at all because I didn't do the investigation.</p> <p>14 Someone else did. All I am signing onto is that the</p> <p>15 investigation looks proper and the findings look proper and</p> <p>16 that was it.</p> <p>17 Q Was it --</p> <p>18 A I didn't have intimate details of the incident</p> <p>19 beforehand.</p> <p>20 Q Would -- in your position at that point in time did</p> <p>21 people routinely come to you with information about CRs?</p> <p>22 A You know, it was not uncommon. I mean, we</p> <p>23 generated a lot of CR numbers out of organized crime that</p> <p>24 affected police officers, from corruption issues through</p>	<p style="text-align: right;">Page 48</p> <p>1 he lived in that neighborhood, and he probably grew up with</p> <p>2 them, I guess, but -- so they informed me of this, and we</p> <p>3 get a confidential CR number. That CR number is sent</p> <p>4 through the defined chains up to IAD, and then IAD does what</p> <p>5 they do. They investigate, bring in federal agents or</p> <p>6 whatever they do and, in fact, that officer is -- I know</p> <p>7 that one is not too long ago. That officer is currently</p> <p>8 stripped of duty, and he's -- I don't know what he does.</p> <p>9 They usually put them on some kind of non-police function</p> <p>10 while the case is pending. I can recall --</p> <p>11 Q In terms of that instance, do you know if there was</p> <p>12 an investigation of that officer that had begun before that</p> <p>13 time or --</p> <p>14 A There was not.</p> <p>15 Q -- was that the start of the investigation?</p> <p>16 A That was the start as is almost all of the ones</p> <p>17 that I know of because we -- our officers come across it --</p> <p>18 Q Do you know if that officer was a -- had any rank</p> <p>19 beyond patrol officer?</p> <p>20 A I believe he was a police officer.</p> <p>21 Q In other words, he wasn't a sergeant or higher?</p> <p>22 A No.</p> <p>23 Q And was that officer under your supervision?</p> <p>24 A The one who was stripped of duty?</p>
<p style="text-align: right;">Page 47</p> <p>1 all kinds of different -- I was usually told about every one</p> <p>2 of them if I was around someone -- whether I was the</p> <p>3 commander, deputy chief and sometimes even the chief.</p> <p>4 Someone would tell me, you know, hey, we're working on this</p> <p>5 case and we have what might be a corrupt police officer that</p> <p>6 we're uncovering on our case and we're getting a</p> <p>7 confidential CR number, and I would say okay.</p> <p>8 Q Can you tell me any others that are not active CRs</p> <p>9 at this time?</p> <p>10 A Do you want to know names?</p> <p>11 Q Names.</p> <p>12 A I don't know offhand, but I know I could get it,</p> <p>13 the information, but there are -- I could give you examples.</p> <p>14 I mean, we'd be on a wire investigation where we're</p> <p>15 overhearing gang members and a couple that pop into my head,</p> <p>16 one was -- well, here's a recent one. I can't think of the</p> <p>17 guy's name, but the guy actually worked in the fugitive</p> <p>18 unit, and we were on an investigation into a narcotics group</p> <p>19 and gang, the Conservative Vice Lords, that operated in the</p> <p>20 11th District. And we -- on our overhears, we hear -- our</p> <p>21 officers hear subjects referring to and then calling a</p> <p>22 police officer who works, as I said, in the fugitive unit</p> <p>23 and they're asking him for information and asking him for</p> <p>24 help and -- which -- in a corrupt manner like for -- because</p>	<p style="text-align: right;">Page 49</p> <p>1 Q Correct.</p> <p>2 A No. He was in the fugitive unit, which is under</p> <p>3 the detective division.</p> <p>4 Q And do you know if there's any criminal</p> <p>5 prosecution?</p> <p>6 A I don't.</p> <p>7 Q Okay. And an additional example?</p> <p>8 A I recall another similar case. We're again on a</p> <p>9 wire and gang members refer to, hey, call our officer or --</p> <p>10 I don't know what they say -- call our girl. One was a</p> <p>11 female officer that was observed hanging out with gang</p> <p>12 members and going in and out of houses and parties and we</p> <p>13 got a confidential CR number on her. That was on the north</p> <p>14 side. And one that -- and there's dozens of these, but the</p> <p>15 one that stands out the most in my opinion -- and I actually</p> <p>16 have her name because I actually handcuffed her, and she was</p> <p>17 criminally prosecuted -- was along the same lines, a case</p> <p>18 where -- again another drug case. It was against the Mickey</p> <p>19 Cobras street gang, and they were selling heroin, and there</p> <p>20 were some heroin overdoses resulted with that one, too. But</p> <p>21 they were selling heroin in the Dearborn Projects, and the</p> <p>22 case was started at a low level but then it kicked into a</p> <p>23 high level while I was the commander of gang investigations.</p> <p>24 And during the investigation it was uncovered that there was</p>

<p style="text-align: right;">Page 50</p> <p>1 a female police officer who apparently had a relationship 2 with one of the gang member drug dealers and was doing 3 things illegally to try to help facilitate that drug 4 conspiracy, and I actually handcuffed her and took her into 5 custody and she was charged with federal drug conspiracy 6 charges. 7 Q Who was that officer? 8 A Her name was Tashika Sledge, and I remember it 9 because she's actually the daughter of a police officer that 10 I worked with back in Englewood back in the '80s who I 11 worked with on the tactical team there. So it was, you 12 know, a friend. She was kind of a friend of mine but it was 13 her daughter. 14 Q When you say there was a low level investigation at 15 one point and then it went into a high level investigation, 16 are you referring to a low level investigation into the 17 Mickey Cobra activity that went high level or a low level 18 investigation into the activity of this female officer? 19 A No. Low level into -- they didn't even know about 20 the officer at the onset. That came later on wires and 21 stuff. When I say low level I'm talking about street level, 22 gathering information, you know, trying to put something 23 together. When I say high level I'm talking about a 24 coordinated effort with wire taps and surveillance and</p>	<p style="text-align: right;">Page 52</p> <p>1 they saw personally where one officer says I saw another 2 officer committing a crime involving narcotics or narcotics 3 related money. 4 A Well, I mean, they uncover that in their 5 investigations sometimes over listening to stuff over a 6 wire. I'm trying to recall if any -- I mean, you know, I'm 7 trying to recall if any of them fit that exact criteria that 8 you just laid out. 9 Q I'm trying to see if there's anything that wasn't 10 over a wire or heard over a wire that led to where an 11 officer said we need to make a CR against another officer 12 because I think they're involved in narcotics activity or 13 gang activity. 14 MR. KING: Just object to the form. Are you asking him 15 if someone's come to him personally with that information? 16 MR. SMITH: Come to him personally. 17 THE WITNESS: Well, I would say no with a qualification 18 that, A, I'm not saying it never happened, but generally as 19 I've been a commander or above in these situations, 20 generally the officer would go to his sergeant or lieutenant 21 and then the sergeant or lieutenant would then come to me, 22 so very seldom, if ever, did a police officer come directly 23 to me as a command member with information. We usually 24 follow the chain of command.</p>
<p style="text-align: right;">Page 51</p> <p>1 things like that. 2 Q The coordinated effort was the time -- the other 3 time you talked about where the officer was stripped, was 4 that a coordinated effort? 5 A Yes. 6 Q Was it coordinated with the F.B.I. or DEA or any 7 outside agency? 8 A I believe that was. That was a joint federal and 9 state. A lot of our investigations are joint federal and 10 state. We have a very good working relationship working 11 from both angles. 12 Q And what about the -- 13 A But our officers are the ones who -- 14 Q -- Mickey Cobra investigation, was that joint in 15 any way? 16 A Yes. I recall that one was mostly our people, but 17 we had DEA involved in it. 18 Q And -- okay. In terms of have you ever had an 19 instance where an officer -- one of your officers has come 20 forward against another police officer for activity they saw 21 in terms of either drug sales or stealing drugs where they 22 actually saw with their eyes on the streets? 23 A That they were selling drugs on the street? 24 Q Not necessarily selling drugs on the street. That</p>	<p style="text-align: right;">Page 53</p> <p>1 BY MR. SMITH: 2 Q Well, do you know of any instances where an officer 3 under your command came to a sergeant and indicated that he 4 believed and had information that one of Chicago Police 5 Officers was selling drugs or involved in gang activity? 6 A I think there's dozens of those situations. Can I 7 recall them specifically? No, but even the ones that I 8 delineated to you were not federal agents bringing those 9 cases. Those were Chicago Police Officers who uncovered the 10 information, told their supervisors and then their 11 supervisors typed out a confidential CR number investigation 12 and sent them up the chain. 13 Q Were there any instances that you're aware of that 14 an officer came to a sergeant under your command about 15 information that he believed or she believed that a fellow 16 officer was involved in gangs or narcotics activity that was 17 not an instance that involved a wire? 18 MR. KING: If you can recall. 19 THE WITNESS: I think there has been, but I can't 20 recall. In fact, one of the cases is, I recall, of someone 21 on a surveillance. Yeah, as a matter of fact, yeah. 22 There's one of surveillance where I know our officers 23 observed a police officer working what looked like security, 24 and I can't really think of the exact parameters but</p>

<p style="text-align: right;">Page 54</p> <p>1 security at a -- I remember it was a barber shop, but it was 2 very late at night past barber shop hours, and we were on 3 surveillance because they were having gang meetings in the 4 barber shop, and our officers observed what they knew -- one 5 of them knew the guy as a police officer, and then we 6 reported that. They reported that as well and got a 7 confidential CR number, sent it up. 8 BY MR. SMITH: 9 Q Do you remember who that officer was? 10 A I do not. 11 Q Do you know if that was any type of joint 12 investigation? 13 A I believe it was just our surveillance. The ones 14 that I'm talking of, dozens of them, some are just ours. 15 Some are joint. They're not all joint investigations. 16 Q Do you know if anything happened with that CR? 17 A I don't. It goes to the hands of IAD after that 18 point. 19 Q Did you have any conversations about the CR 20 relating to the dog with any other supervisors after you 21 were spoken to by -- sorry. I forget her name -- in terms 22 of the woman who was the mother or related to one of the 23 people involved in the dog incident? 24 A I don't recall that I did, not until much later</p>	<p style="text-align: right;">Page 56</p> <p>1 dog, just got home from the military or something, took the 2 dog. If I recall, Spalding wanted the dog back. He gave it 3 back to her. Then she wanted to get rid of it again so gave 4 it back to him again. 5 In the meantime, he had it for a while. He 6 got -- she -- it got veterinary stuff like shots or dog 7 license, things like that, and then she called him back and 8 wanted it back for the second time stating that her daughter 9 was all upset, very upset and needed the dog back, and we 10 were under the impression the daughter was a child but the 11 daughter was an adult child and that the guy said -- the guy 12 who possessed the dog said I'm not giving it back to you 13 this time, you know, I got the license for it, I paid for 14 veterinary bills, et cetera, et cetera. The dog has become 15 part of my family, you know, I'm not giving it back. And 16 then I think the thing that was really the big issue with 17 Officer Legittino and frankly one of the reasons why I 18 believe that that CR number was sustained through most of 19 the process was that at some point late at night like -- and 20 I don't know the exact time that Officer Spalding and 21 Officer Echeverria show up at this guy's house on the north 22 side in police garb, like wearing a vest and et cetera and 23 are knocking on his door. He refuses to answer the door. 24 They call for a supervisor from the district. He shows up</p>
<p style="text-align: right;">Page 55</p> <p>1 anyway. 2 Q Did the woman give you any details about what 3 happened in the dog incident? 4 A The officer, if I recall, just gave me a brief 5 overview basically that she was upset, though, and she 6 thought that -- I think the reason she talked to me is she 7 thought that the incident -- she felt that she -- that they 8 were wronged but they had to give the dog up back to Officer 9 Spalding because she was afraid that if she didn't, her son 10 who was the possessor of the dog at the time was trying to 11 get on the police department, and she felt that somehow this 12 whole incident would hurt his chances of becoming a police 13 officer and that was one of her main concerns, I recall, and 14 that might have been why she brought it up to me. 15 Q And that was Mary Legittino who said that? 16 A Yes. 17 Q Did she say anything else about it? 18 A Well, she told me the brief overview that -- and 19 again this is not verbatim but it's from a 20 five-plus-year-old memory that Shannon Spalding had a dog 21 she wanted to get rid of. Somehow it came into the 22 possession of her son, I believe, through word of mouth 23 through the police department, and it came out as is anyone 24 looking for a home for this dog. The son was looking for a</p>	<p style="text-align: right;">Page 57</p> <p>1 and at some point he's knocking on the door telling him open 2 the door, give the dog back or I'm going to have you 3 arrested. He calls his mother. The mother says, listen, 4 just give the dog up, we don't want you to get arrested, 5 it's going to hurt your chances coming on the police 6 department, et cetera, et cetera. So that's kind of just 7 the basic overview. I mean, I definitely might be 8 intermingling some of the facts that I learned later when I 9 reviewed the investigation. It's very hard to delineate 10 what I knew five years ago and what I knew three years ago, 11 you know, but -- 12 Q In terms of did that young man ever become a police 13 officer? 14 A I don't know. 15 Q Okay. So other than that incident with the dog, 16 did you hear of any other events relating to Danny 17 Echeverria or Shannon Spalding after your time as commander 18 in narcotics? 19 MR. KING: I just object to the form. I think he may 20 have testified to some but -- 21 BY MR. SMITH: 22 Q Did anybody make any complaints to you about them? 23 A Not officially. 24 Q How about unofficially?</p>

<p style="text-align: right;">Page 58</p> <p>1 A I just -- I recall later, much later and when some 2 of this stuff was going on back and forth with where they 3 were going to be assigned and things, and during that whole 4 time frame I recall the issues were brought to my attention 5 of Shannon Spalding showing up at Homan Square to meet with 6 this Officer Hernandez, I think, who was on the guard duty 7 desk and she was doing something there. I also remember 8 hearing of an incident when she was -- they were assigned 9 to -- 10 Q Can we slow down for a second? In terms of the 11 guard duty desk, that she was showing up at the guard duty 12 desk, did you hear anything further of what that meant, or 13 did you have an understanding of what that meant? 14 A Well, there's a 24-hour desk. Then there's a guard 15 shack, I should say, where you're supposed to be watching to 16 make sure that only authorized people are let into the 17 building and let into the parking lot, and I believe that he 18 was assigned to that desk, and I believe she was there in 19 the desk -- in the area of the guard shack and as I recall, 20 I believe then she was told by Commander O'Grady -- I don't 21 know if directly or through a supervisor or whoever that, 22 you know, she shouldn't be in that area or, you know, on 23 duty -- not on official duty because you're impeding what 24 he's supposed to be doing, and this isn't like -- and this</p>	<p style="text-align: right;">Page 60</p> <p>1 from a building? 2 MR. KING: Object to the form, calling for speculation, 3 lack of foundation. 4 THE WITNESS: Just answer? 5 MR. KING: If you feel like you can answer. 6 THE WITNESS: Well, I mean, would it be appropriate? If 7 a subject -- if an officer is not -- is supposed to be 8 working and is not supposed to be in an area and is impeding 9 other people's work, it's appropriate for a supervisor to 10 take action to stop that. I don't know the term banned. I 11 never really heard of that before, banned from a building. 12 I've never heard that term used before in -- 13 BY MR. SMITH: 14 Q Would you expect that supervisor to make a CR, 15 another officer was impeding another officer from working? 16 MR. KING: Same objection to the form. 17 THE WITNESS: Supervisors take supervisory action every 18 day multiple times a day to -- I should say corrective 19 supervisory action that does not result in the form of a CR 20 number or anything else because there is a level of 21 corrective action that can be taken by a supervisor verbally 22 or through other means. If something rises to the level of 23 a CR number, then it's usually something pretty serious. 24</p>
<p style="text-align: right;">Page 59</p> <p>1 is my terms but just the general -- this isn't like a social 2 hour, you know, where you just hang out and, you know. 3 Q Did you learn that from O'Grady? 4 A I think so. 5 Q And did -- were you informed that Shannon Spalding 6 was banned from the building entirely? 7 A No. 8 MR. KING: Just object to the form of the question. 9 BY MR. SMITH: 10 Q Is that a no? 11 A Yeah. 12 Q Have you ever heard that she was banned from the 13 Homan Square building? 14 A In the complaint. 15 Q Before the complaint? 16 A No. 17 Q Have you ever talked to O'Grady and asked him 18 whether he ever banned her from the building? 19 A No, not specifically, no. 20 Q When you say not specifically, what do you mean? 21 A I just mean I don't want to -- I don't believe so, 22 put it that way. I don't recall ever talking about that 23 specifically. 24 Q Would it be appropriate for an officer to be banned</p>	<p style="text-align: right;">Page 61</p> <p>1 BY MR. SMITH: 2 Q In terms of you were about to say another incident 3 besides the -- I believe you were about to say there was 4 another complaint you heard of -- regarding either Danny or 5 Shannon other than the desk guard incident. 6 A I don't remember how I heard it. There was 7 something and I really don't recall how I heard it. There 8 was something along the lines of that when they were 9 assigned to the inspection division, which is an offshoot of 10 IAD, that -- and this is after the point of when there was 11 the issue of whether or not they would come back to work in 12 narcotics. They were working in the inspection division, I 13 believe. It's somewhere in that gray area of transition 14 that they were taking it upon themselves to come to Homan 15 Square, which is where the narcotics unit and the organized 16 crime units are housed, and they were taking it upon 17 themselves to pick that location to do some type of 18 inspections, enforcement action. I really don't recall who 19 told me about that. I think multiple people saw them in the 20 parking lot looking at -- inspecting cars or something, and 21 again why I hesitate to bring it up is because I don't have 22 all the facts as far as who told me what, but I remember 23 that somehow there was a conversation and that they were 24 said -- well, you know, they were -- somehow it was being</p>

<p style="text-align: right;">Page 62</p> <p>1 done in a vindictive manner to get back at O'Grady and 2 possibly me, so that's why they were focusing there in an 3 effort to embarrass us or something. 4 So I recall calling someone and asking them 5 are they assigned to work in this area inspecting, are they 6 assigned to do -- and they said no, and they said they'll 7 look into it. It was someone in inspections that was 8 working there or it -- maybe it might have been Juan Rivera. 9 I'm not 100 percent sure. I called someone and asked them 10 are they supposed to be -- is that their duties to be here, 11 you know, inspecting vehicles and things like that on 12 multiple days, and they told me no, and then that was the 13 last I heard of it. I guess someone must have talked to 14 them and they didn't come back there. 15 Q So you heard it from a person, but you don't recall 16 who you heard it from at this point? 17 A Uh-huh. 18 Q But you then called Juan Rivera to ask about it? 19 MR. KING: Object to the form. It misstates his 20 testimony. 21 THE WITNESS: I'm not 100 percent sure. 22 BY MR. SMITH: 23 Q You're not 100 percent sure, but you think it was 24 Juan Rivera?</p>	<p style="text-align: right;">Page 64</p> <p>1 Sergeant Chester might have told me, Tom Chester, I believe, 2 but I'm not 100 percent sure on that. Someone told me that 3 because he resigned, and plus I work with the F.B.I. a lot, 4 a lot of my task force, so I might have heard it from one of 5 the F.B.I. supervisors later, but it really was just -- when 6 Officer Spalding and Echeverria went on TV and held a press 7 conference, a lot of people talked to me. I don't remember 8 who, so -- 9 Q Did -- what did you learn about Patrick Smith in 10 terms of with respect to the problems or the reasons he 11 resigned? 12 A Nothing. All I know is something -- just the way 13 you framed it. There were some issues and he resigned. I 14 don't know the details. 15 Q Did you learn anything about a lost recording 16 device during the time relating to either Patrick Smith or 17 Shannon Spalding or Dan Echeverria within the F.B.I.? 18 A No. 19 Q Did you learn anything in terms of misappropriated 20 funds with respect to Patrick Smith? 21 A No. 22 Q Did you learn anything further about -- and when I 23 say -- did you learn anything further from anyone within the 24 F.B.I. about the investigation into Sergeant Watts?</p>
<p style="text-align: right;">Page 63</p> <p>1 A I don't know because I -- I don't know if that's 2 why we -- I don't know 100 percent. I thought it might be 3 Juan Rivera. I might have asked him are they supposed to be 4 working there, and he might have said I'll look into it, but 5 I'm not 100 percent sure because I might have called someone 6 in the inspections division, but that's why I hesitated to 7 bring it up because I don't really have all the facts. I 8 don't really recall. 9 Q Okay. And then in terms of -- in between the 10 narcotics -- well, between the first time you heard from the 11 F.B.I. and the time frame of where you -- two years later 12 when you became the chief, did you hear anything else from 13 the F.B.I. about the investigation? 14 A No. 15 Q At any point later did you hear from the F.B.I. 16 more about the investigation? 17 A No. 18 Q Did you at any point in time hear that Patrick 19 Smith had problems with the -- that the F.B.I. was having 20 problems with Patrick Smith, the F.B.I. agent? 21 A You know, I know of that but I didn't hear about 22 that till much later like even maybe recently. 23 Q How did you hear about that? 24 A I think I heard about it from -- I think maybe</p>	<p style="text-align: right;">Page 65</p> <p>1 A No. 2 Q Did you learn anything about Danny Echeverria or 3 Shannon Spalding's performance with respect to their duties 4 with the F.B.I.? 5 A A little bit from Sergeant Chester who was at the 6 time IAD's liaison and worked on the F.B.I. corruption task 7 force, but I don't think he was intimately involved in that 8 investigation, but he did have, I think, some working 9 knowledge of it, and I believe that he basically stated 10 that, which -- that they were there to handle the 11 confidential informant and to shore up parts of the case, 12 which is basically in line with what Patrick Smith and Julie 13 Anderson told me in the beginning, to shore up some parts of 14 the case so they could bring the case to charging. They 15 were not undercover in the case. They were -- they handled 16 the CI. 17 Q When did you have that conversation with Chester 18 about -- 19 A I have no idea. 20 Q Was it after the lawsuit? 21 A I think so. 22 Q And -- 23 A Well, I'm not sure. Actually I'm not sure because 24 there's -- a lot of time passed in there.</p>

<p style="text-align: right;">Page 66</p> <p>1 Q And was there specifics about who was the targets 2 of the investigation?</p> <p>3 A Definitely not before the indictments were made 4 public.</p> <p>5 Q Did you ever learn what officers were targets of 6 that investigation?</p> <p>7 A No. Oh, did I ever?</p> <p>8 Q Yes.</p> <p>9 A Oh, yeah. I mean, it was on the news.</p> <p>10 Q Did you ever learn if any other officers besides 11 Mohammed and Watts were targets of the investigation?</p> <p>12 A No. Actually this is the first I'm hearing if 13 that's even a -- that was even a possibility.</p> <p>14 Q Did you ever hear anything relating to the team 15 members who worked for Sergeant Watts?</p> <p>16 A No.</p> <p>17 Q Have you ever been made privy to the information 18 that the F.B.I. uncovered during their over ten-year 19 investigation?</p> <p>20 A I'm sorry?</p> <p>21 Q Have you ever been made -- given access to the 22 information that the F.B.I. uncovered during their over 23 ten-year investigation of Sergeant Watts?</p> <p>24 A No, I have not been.</p>	<p style="text-align: right;">Page 68</p> <p>1 specifically, but subsequently, I guess, they were detailed 2 to 543, which is detached services, but I don't know. I 3 mean --</p> <p>4 Q Were you aware of what they were going to be doing 5 in -- with respect to -- in that detail?</p> <p>6 A Well, that detail was to facilitate them working 7 with the F.B.I. on a full-time basis to my knowledge.</p> <p>8 Q Was it your understanding that they were supposed 9 to be doing anything else at the time you had the 10 conversations with Tina Skahill?</p> <p>11 A No.</p> <p>12 Q Did you ever learn that they were supposed to have 13 any other activity in the outside detail at 543 other than 14 working with the F.B.I.?</p> <p>15 A No.</p> <p>16 Q Just so it's clear, what is 543? What would you 17 call it?</p> <p>18 A 543 is not technically a unit as some of the others 19 are. It's a -- it's called detached services and people are 20 assigned/detailed to detached services when they work at 21 various -- when they work in various jobs that are outside 22 of the Chicago Police Department. So, for instance, say 23 they work on the mayor's detail or they work process servers 24 for the Corporation Counsel, things like that. In general</p>
<p style="text-align: right;">Page 67</p> <p>1 Q Do you know anyone within the Chicago Police 2 Department who would have access to that information, if 3 anyone?</p> <p>4 A I don't know. I don't know. I don't know what 5 access IAD has or not.</p> <p>6 Q Were you ever told by anybody from the F.B.I. that 7 Shannon Spalding or Dan Echeverria did a good job, bad job, 8 mediocre job?</p> <p>9 A No.</p> <p>10 Q Anybody within Chicago Police Department ever tell 11 you that Shannon Spalding or Danny Echeverria did a poor job 12 with the Watts investigation or helping the F.B.I. out?</p> <p>13 A No.</p> <p>14 Q I believe sometime after -- obviously sometime 15 after they were detailed to 543 in terms of that 16 conversation with Tina Skahill you had way back like about a 17 month after the Patrick Smith and you were informed that 18 they were working with the F.B.I., they were -- you had the 19 conversation with Tina Skahill and they were eventually 20 assigned to Unit 543; is that your understanding?</p> <p>21 A Yeah. I mean, they were --</p> <p>22 Q Or detailed to 543.</p> <p>23 A All I know is they were detailed out of narcotics 24 to where -- I thought they were getting detailed to IAD</p>	<p style="text-align: right;">Page 69</p> <p>1 people are not assigned to detached services to my knowledge 2 to work on a task force with the F.B.I. because I have a lot 3 of task forces that work with me and they stay detailed or 4 assigned to whatever their units are and then work there as 5 a task force officer. So I'm not sure the genesis -- whose 6 idea it was or why they were assigned to detached services. 7 All I can say is if it was me, I would have detailed them to 8 IAD and then had them work in detached -- I mean had them 9 work with the F.B.I., but you would have to ask them.</p> <p>10 Q In terms of did you hear any -- of any -- from any 11 Chicago Police Officer personnel that neither Danny or 12 Shannon failed to do any type of work while detailed to -- 13 failed to do any type of assignment or job that they were 14 supposed to do in connection with special detail when they 15 were assigned to 543?</p> <p>16 A No. I barely ever heard of them during the vast 17 stretches of time.</p> <p>18 Q At some point in time did you become aware that 19 Danny and Shannon were going to be taken off of special 20 detail, 543?</p> <p>21 A Not until after like -- not during that -- whoever 22 was making that decision process.</p> <p>23 Q Who did -- when did you learn it?</p> <p>24 A I don't know when I learned it specifically, if I</p>

<p style="text-align: right;">Page 70</p> <p>1 even did. I mean, I don't know.</p> <p>2 Q Sometime in April of 2011, was there -- were you</p> <p>3 present for a meeting with -- first of all, do you know</p> <p>4 Beatrice Cuello?</p> <p>5 A I do.</p> <p>6 Q And you already indicated you know Commander --</p> <p>7 sorry. I don't want to understate a title. Commander</p> <p>8 O'Grady, you've indicated you know him?</p> <p>9 A Oh, yes.</p> <p>10 Q Do you know a Jim Jackson?</p> <p>11 A Yes.</p> <p>12 Q And you've indicated you know Juan Rivera?</p> <p>13 A Yes.</p> <p>14 Q Were you ever involved in a meeting with Beatrice</p> <p>15 Cuello in particular relating to Shannon Spalding or Danny</p> <p>16 Echeverria's assignment in narcotics and the removal from</p> <p>17 the detail at 543?</p> <p>18 A Short answer is no.</p> <p>19 Q Is there a long answer?</p> <p>20 A Yes.</p> <p>21 Q What's the long answer?</p> <p>22 A I do not recall there ever being a meeting, at</p> <p>23 least not that I was involved in that was specifically held</p> <p>24 to address any issues with Shannon Spalding and Daniel</p>	<p style="text-align: right;">Page 72</p> <p>1 privy to that. But Superintendent Hillard was less than</p> <p>2 pleased to hear that the two officers were not -- were</p> <p>3 insubordinate, I should say, and were not -- you know, well,</p> <p>4 were insubordinate, and he said, well, send them -- pull</p> <p>5 them back from their detail and send them back to patrol. I</p> <p>6 don't recall then what happened after, but I know that at</p> <p>7 some point Juan Rivera talked to Superintendent Hillard and</p> <p>8 was able to somehow mitigate that issue and they were not</p> <p>9 sent back to patrol. But around that time, I believe -- and</p> <p>10 again this is -- I'm kind of outside of this circle looking</p> <p>11 in. They were assigned to do something else, which might</p> <p>12 have been when they went to the inspections division. Also</p> <p>13 because you mentioned his name, at those meetings O'Grady</p> <p>14 was not present that I can recall. It was a deputy chief,</p> <p>15 chief, deputy superintendent kind of meeting. I don't</p> <p>16 recall commanders being at that meeting.</p> <p>17 Q Was Jim Jackson at that meeting?</p> <p>18 A He was the first deputy superintendent at the time</p> <p>19 and he was at that meeting.</p> <p>20 Q Was Juan Rivera at that meeting?</p> <p>21 A I believe Juan was the deputy chief in IAD, but I</p> <p>22 think Tina Skahill -- you know, at that time Juan might have</p> <p>23 been the chief because there was a lot of change.</p> <p>24 MR. KING: Just tell him if you can recall.</p>
<p style="text-align: right;">Page 71</p> <p>1 Echeverria. The only meeting that I could think of or a</p> <p>2 couple of meetings that I could think of that came up</p> <p>3 along -- that their names were brought up in was a meeting</p> <p>4 that then Acting Interim Superintendent Hillard called and</p> <p>5 it was not a meeting just about this, but during the</p> <p>6 meetings when he took over for the time period, they were</p> <p>7 looking for manpower, and he held a meeting and wanted</p> <p>8 anyone who had a task force officer where officers were</p> <p>9 assigned to outside agencies, we had to come up with a list</p> <p>10 of all of our officers that were assigned outside of the</p> <p>11 Chicago Police Department. So it was a meeting about task</p> <p>12 force officers, and I don't even know if it was specifically</p> <p>13 just a task -- it was a meeting about many operational</p> <p>14 things in the police department. One of the things was task</p> <p>15 force officers.</p> <p>16 I do recall being present at some point later</p> <p>17 where Beatrice Cuello mentioned to then Interim</p> <p>18 Superintendent Hillard that there was an issue with two</p> <p>19 officers, and I felt she -- again they were -- that they</p> <p>20 were -- she felt that -- someone in her chain of command</p> <p>21 felt they are insubordinate and they wouldn't tell her</p> <p>22 exactly what they were working on. I don't know in this</p> <p>23 time frame if that is before or after the investigation into</p> <p>24 Sergeant Watts was completed or not. I don't know. I'm not</p>	<p style="text-align: right;">Page 73</p> <p>1 THE WITNESS: I don't recall, but I think he was at the</p> <p>2 meeting.</p> <p>3 BY MR. SMITH:</p> <p>4 Q How about Tina Skahill? Was she at the meeting?</p> <p>5 A I think so.</p> <p>6 Q And how about anyone else you remember being at the</p> <p>7 meeting? Was Debra Kirby at the meeting?</p> <p>8 A She should have been, but I really can't place her</p> <p>9 there. I can't recall. But as a deputy superintendent, she</p> <p>10 normally would have been.</p> <p>11 Q And were the officers --</p> <p>12 MR. KING: Don't guess.</p> <p>13 BY MR. SMITH:</p> <p>14 Q Were the officers' names mentioned in terms of who</p> <p>15 the insubordinate officers were? Were they mentioned by</p> <p>16 name?</p> <p>17 A I'm not 100 percent. I believe so, but I'm not 100</p> <p>18 percent.</p> <p>19 Q I mean, otherwise would you know -- would you have</p> <p>20 known who she was talking about? How would you have</p> <p>21 connected this incident to -- or this meeting to Echeverria</p> <p>22 and Spalding at this time?</p> <p>23 A Well, you know, it's hard when you go back that</p> <p>24 many years to -- when things are happening to put them all</p>

<p style="text-align: right;">Page 74</p> <p>1 in the same exact time frame of when you heard something and 2 when you didn't but, you know, I don't recall. I mean, 3 there was a lot of things going on at that meeting. The 4 meeting -- that was just one part of the meeting. That 5 meeting wasn't focused on them, so I'm sure Bea Cuello 6 probably mentioned their name or I'm relatively sure, but 7 I'm not 100 percent.</p> <p>8 Q In terms of did you ever know of a time where after 9 they had been detailed out to 543 that Danny Echeverria or 10 Shannon Spalding were trying to get back into the narcotics 11 unit?</p> <p>12 A They never approached me. They never sent any 13 correspondence to me. I don't know that they sent any 14 correspondence or approached anyone in our chain of command. 15 The only time that I -- this even came up was I believe Juan 16 Rivera said do you want to take them back to organized 17 crime. I believe I checked with O'Grady, do you want them 18 back. O'Grady said not really. They don't get along with 19 the people here. None of the sergeants want them on their 20 team. And based with the knowledge that I happened to know 21 and the fact that I usually take the commander's 22 recommendations, I agreed and told Juan, hey, Juan, we 23 really don't want them back.</p> <p>24 Q Do you know when that conversation happened?</p>	<p style="text-align: right;">Page 76</p> <p>1 Q Did Rivera ask you any further follow-up questions 2 after you told him that?</p> <p>3 A I don't recall. I mean, I believe he might have 4 mentioned -- Tina Skahill might have been there, too, at one 5 point, and I remember telling him, listen, they don't get 6 along with the people there. They were -- they were on the 7 verge -- before they left to go to IAD, they were on the 8 verge of being -- they already separated to work on two 9 different teams. They had -- at least Spalding had a bad 10 review and they were on the verge of being under some 11 scrutiny there as to whether they were going to stay there 12 or not to start with. Then coupled in with the discrepancy 13 in whether they were working or not or showing up to duty, 14 coupled in with that CR number, we said we really don't want 15 them back, so that was it, and they just said okay.</p> <p>16 Q In terms of what was your understanding of why 17 Danny Echeverria was -- would have been under scrutiny 18 before he was assigned to the detail 543?</p> <p>19 A Well, because he -- at some point he was Shannon 20 Spalding's partner, and at some point they were separated by 21 the supervisors in that unit. We don't generally separate 22 partners unless there's some type of issue.</p> <p>23 Q Was there anything specific to Danny Echeverria 24 that put him under scrutiny?</p>
<p style="text-align: right;">Page 75</p> <p>1 A After this -- whenever this task force officer 2 meeting was, after that sometime. So whatever dates those 3 were, so you could narrow that down, which I don't know 4 exactly, but that would have been in between the time 5 that -- that would have been before Jody Weis took over, so 6 whenever Superintendent Jody Weis -- right around the time 7 he took over when Hillard was leaving and Jody Weis was 8 coming in, somewhere in that time frame.</p> <p>9 Q But that was after -- shortly after the meeting 10 where Beatrice Cuello mentioned that there were two 11 individuals who were insubordinate?</p> <p>12 A Yeah. To my knowledge, I never heard of them 13 wanting to come back or asking to come back until the issue 14 was brought up with Hillard, and then there was a spotlight 15 on them as to what they were doing and then when they were 16 then given some type of work assignment, which apparently 17 they didn't like and they wanted to come back. But when 18 they -- they never asked to come back before that, to my 19 knowledge, and they never asked me to come back. They -- it 20 was strictly through an unofficial question from Juan Rivera 21 in the hallway, do you want them back. I said no.</p> <p>22 Q Did Rivera tell you anything as to why you should 23 take them back?</p> <p>24 A No.</p>	<p style="text-align: right;">Page 77</p> <p>1 A I think mostly his association with Shannon and 2 that they were partners and that there was some type of 3 disruption on the team. The team -- and I don't recall what 4 or why, and it actually happened before I got there, so --</p> <p>5 Q Did you ever hear from any team members or any -- 6 that Danny Echeverria was a disruption to a team?</p> <p>7 A Not -- no, I never heard from any team. The team 8 members don't talk to the commanders about that kind of 9 stuff.</p> <p>10 Q How about from any supervisors that Danny 11 Echeverria was considered by the team to be a disruption?</p> <p>12 A I would say that in my opinion -- well, I can't 13 say -- to your specific question I would say no.</p> <p>14 Q You had not heard anything specific about Danny 15 Echeverria?</p> <p>16 A Not about him specifically as opposed to them as a 17 team.</p> <p>18 Q In terms of when you say them as a team, did you 19 hear anything about him doing anything personally in 20 connection with that team or them doing anything together 21 specifically that disrupted the team?</p> <p>22 A Most of the negative information and evaluation 23 centered around Officer Spalding.</p> <p>24 Q Did you hear any specific negative evaluation of</p>

<p style="text-align: right;">Page 78</p> <p>1 Officer Echeverria?</p> <p>2 A I don't think so.</p> <p>3 Q Was there any discussion with Officer Rivera</p> <p>4 bringing back Danny Echeverria and not Shannon Spalding?</p> <p>5 A No.</p> <p>6 Q Were you aware of the fact that at some point in</p> <p>7 time Danny Echeverria and/or Shannon Spalding were assigned</p> <p>8 or told to go to the academy, Unit 144?</p> <p>9 A I didn't know or hear about that until, I think,</p> <p>10 maybe it was in the complaint.</p> <p>11 Q In terms of the incident where they were banned</p> <p>12 from the building where you heard about the -- what else --</p> <p>13 did you hear anything else about the incident involving</p> <p>14 O'Grady and any instructions relating to Shannon Spalding</p> <p>15 not to interfere with the officer in Homan?</p> <p>16 A No, just what I said. He mentioned it. It wasn't</p> <p>17 some big thing that we dwelled on. He told me that</p> <p>18 people -- supervisors told him. He went and observed or</p> <p>19 took action or something, and then he called her supervisors</p> <p>20 and told them if she's on duty, she should be out working,</p> <p>21 she shouldn't be here or if she's not on duty, she shouldn't</p> <p>22 be here bothering an on-duty officer, and they said, okay,</p> <p>23 we'll talk to her or whatever, and that's the last I heard</p> <p>24 of it.</p>	<p style="text-align: right;">Page 80</p> <p>1 they were going to try and embarrass you?</p> <p>2 A I believe O'Grady told me that he heard from</p> <p>3 someone else and he didn't necessarily tell me who that,</p> <p>4 hey, I heard they're going to try to embarrass us.</p> <p>5 Q What time period would you say that was that you</p> <p>6 heard that from O'Grady that they were going to try and</p> <p>7 embarrass you?</p> <p>8 A It was after the -- it's sometime like when they</p> <p>9 were like in that transition period around the whole moving</p> <p>10 from IAD to the fugitive unit, you know, when we -- like</p> <p>11 right around after when we said, well, we don't want them</p> <p>12 back in organized crime, right around that time frame. I</p> <p>13 don't know the date.</p> <p>14 Q I'm going to show you what we'll mark as Roti</p> <p>15 Deposition Exhibit No. 1 for identification.</p> <p>16 (Document marked as requested.)</p> <p>17 BY MR. SMITH:</p> <p>18 Q Go ahead and take a look at what we marked as Roti</p> <p>19 Deposition Exhibit No. 1 for identification.</p> <p>20 A Uh-huh.</p> <p>21 Q Do you recognize that document?</p> <p>22 A I do.</p> <p>23 Q Is that the message you were talking about that you</p> <p>24 kept on your desk?</p>
<p style="text-align: right;">Page 79</p> <p>1 Q Did you hear anything about -- in connection with</p> <p>2 that incident concerning either Shannon Spalding or Danny</p> <p>3 Echeverria being taken off of fugitive assignments or jobs</p> <p>4 in fugitive apprehension?</p> <p>5 A No.</p> <p>6 Q I think you mentioned early on that you found a</p> <p>7 document that you believe related to the case concerning a</p> <p>8 phone call or a notation of a phone call. Do you recall?</p> <p>9 A Yeah, yeah. From Echeverria?</p> <p>10 Q Right.</p> <p>11 A Yeah.</p> <p>12 Q When did you do the search for the documents that</p> <p>13 you were talking about, the -- specifically the reviews and</p> <p>14 for that message, when you found the message?</p> <p>15 A Well, the message, I think, I kept or I had on my</p> <p>16 desk. I didn't really put it in a file. I just had it on</p> <p>17 my desk and I didn't get rid of it because at that point it</p> <p>18 just seemed like this thing was -- whatever they were trying</p> <p>19 to do -- and we had -- I had heard from someone that -- I</p> <p>20 had heard something that they were going to try to embarrass</p> <p>21 us or do something. I said, you know, I better keep some of</p> <p>22 this stuff, so whatever. I don't know. And then I -- a</p> <p>23 search, I don't know.</p> <p>24 Q Did you -- do you know who you heard that from that</p>	<p style="text-align: right;">Page 81</p> <p>1 A Yes.</p> <p>2 Q And that's the message you were talking about that</p> <p>3 was related to Daniel Echeverria?</p> <p>4 A Yes.</p> <p>5 Q And you'd agree that at the top it says date of</p> <p>6 March 2 -- March 2, '12, or -- you believe that refers to</p> <p>7 March 2nd, 2012?</p> <p>8 A Yes.</p> <p>9 Q And do you see there the name at the very bottom of</p> <p>10 the message?</p> <p>11 A Yes.</p> <p>12 Q Sue?</p> <p>13 A Yes.</p> <p>14 Q Do you know who that is?</p> <p>15 A Yes.</p> <p>16 Q Who is that?</p> <p>17 A That is Police Officer Sue Ballauer,</p> <p>18 B-a-l-l-a-u-e-r. She was an administrative assistant</p> <p>19 working in the chief's office at the time. She has retired.</p> <p>20 Q And how long did she work with you?</p> <p>21 A Sue Ballauer worked for me -- with me in an</p> <p>22 administrative capacity since sometime in like 2005, 2006.</p> <p>23 Q And were you aware that she had a husband or at one</p> <p>24 time had a husband who was a police officer?</p>

<p style="text-align: right;">Page 82</p> <p>1 A Yes.</p> <p>2 Q Who was later convicted of crimes?</p> <p>3 A Yes.</p> <p>4 Q In the Marquette 10?</p> <p>5 A Yes.</p> <p>6 Q And in terms of --</p> <p>7 A She was divorced from him, I believe.</p> <p>8 Q Do you know if the divorce was before or after he</p> <p>9 was indicted?</p> <p>10 A I don't. I didn't know her back then.</p> <p>11 Q Did you know her husband?</p> <p>12 A No.</p> <p>13 Q All right. So first of all, do you recall</p> <p>14 receiving this message?</p> <p>15 A I recall getting this piece of paper, yes.</p> <p>16 Q Did you make any effort to call Daniel Echeverria</p> <p>17 back after receiving this message?</p> <p>18 A Definitely not.</p> <p>19 Q Why not?</p> <p>20 A Multiple reasons. First of all, when it was</p> <p>21 brought to me, Officer Ballauer was extremely upset in the</p> <p>22 manner that Dan -- Daniel Echeverria talked to her and</p> <p>23 talked on the phone. She was so upset that she handed it</p> <p>24 off to the sergeant, Sergeant Maryet Hall, whose name is</p>	<p style="text-align: right;">Page 84</p> <p>1 bordered on insubordination. So, yes, I would not return</p> <p>2 his call. I don't -- if people want to see me as the chief,</p> <p>3 they'll come and see me in my office in person, like I would</p> <p>4 to any one of my superiors on the job, the superintendent,</p> <p>5 the first deputy, et cetera.</p> <p>6 Q When did you first meet Daniel Echeverria?</p> <p>7 A I don't know if I ever formally met him.</p> <p>8 Q When did you first meet Shannon Spalding?</p> <p>9 A I don't know that I've ever formally been</p> <p>10 introduced or met her. I've seen her, talked to her, not</p> <p>11 even talked to her, seen her. They've never come to talk to</p> <p>12 me. They didn't -- a lot of times when people get detailed,</p> <p>13 the officers will come in, even as commander, and say, hey,</p> <p>14 you know, Commander, just letting you know thanks, we're</p> <p>15 going to be going to this detail, but I've never talked to</p> <p>16 them and I've passed them in the hallways at headquarters</p> <p>17 several times over this time period, and never once have</p> <p>18 they tried to talk to me.</p> <p>19 Q And in terms of did Daniel Echeverria ever scowl at</p> <p>20 you before March of -- March 2nd of 2012?</p> <p>21 A Yes.</p> <p>22 Q Would you have any idea why Daniel Echeverria would</p> <p>23 have scowled at you before March 2nd of 2012?</p> <p>24 A I believe so.</p>
<p style="text-align: right;">Page 83</p> <p>1 actually referenced in that letter, who was his</p> <p>2 administrative sergeant in Bureau of Organized Crime. The</p> <p>3 sergeant tried to talk to him. He would not tell her why he</p> <p>4 wanted to talk and basically was threatening me through her</p> <p>5 saying he better talk to me, he's going to want to talk to</p> <p>6 me. And so I actually contemplated getting a CR number on</p> <p>7 this if I wanted to be vindictive or try to do something</p> <p>8 that I for whatever was trying to be framed, like this is --</p> <p>9 I would have done that but I didn't. I let it go because I</p> <p>10 figured, well, he's upset. But third of all, as a chief of</p> <p>11 the Bureau of Organized Crime, this is not a proper protocol</p> <p>12 for him to talk to me. It's not a proper way for him to</p> <p>13 talk to me. It borders on insubordination and if he -- I</p> <p>14 have a pretty open policy. If he would have came to my</p> <p>15 office or her at any time during the -- since the beginning</p> <p>16 of this, that this started, I would have been happy to talk</p> <p>17 to them. They never once tried to talk to me until their</p> <p>18 detail was changed and went to -- wherever they went, out of</p> <p>19 IAD.</p> <p>20 And as a matter of fact, I passed them in the</p> <p>21 hall many times over the years, and I've actually said hello</p> <p>22 to them and they have ignored my hello and walked right by</p> <p>23 me, and actually Officer Echeverria has scowled at me, for</p> <p>24 lack of a better term, numerous times in the hallway, which</p>	<p style="text-align: right;">Page 85</p> <p>1 Q What would that have been?</p> <p>2 A I believe that they were upset when I called Tina</p> <p>3 Skahill and told her that I didn't believe -- that they were</p> <p>4 not showing up to work in narcotics and that when I called</p> <p>5 Patrick Smith, Patrick Smith said, well, I'm not using them</p> <p>6 every day. And again if I wanted to be vindictive, I would</p> <p>7 have got a CR number at that point, but I didn't. I just</p> <p>8 wanted to handle the situation, and I told Tina, you're</p> <p>9 going to have to detail them so that they have supervision.</p> <p>10 Ever since then whenever I ran into them, I would get that</p> <p>11 look. She would look straight ahead. I said good morning</p> <p>12 to them several times, and she would look straight ahead and</p> <p>13 not acknowledge me, and he would give me what I would term a</p> <p>14 scowl.</p> <p>15 Q Do you know if Tina Skahill ever told Daniel</p> <p>16 Echeverria or Shannon Spalding about that conversation</p> <p>17 relating to their assignment with the F.B.I.?</p> <p>18 A I have no way of knowing that, but I do know they</p> <p>19 must have known something was changed when they had their</p> <p>20 detail changed from being in -- being detailed to narcotics</p> <p>21 to then that 543. They must have known there was some</p> <p>22 reason for that.</p> <p>23 Q In terms of the note itself, first of all, your</p> <p>24 handwriting is nowhere on this, correct?</p>

<p style="text-align: right;">Page 86</p> <p>1 A Correct.</p> <p>2 Q You see a phone number, (773) 962-1269?</p> <p>3 A Yes.</p> <p>4 Q Did you believe that to be Daniel Echeverria's</p> <p>5 number?</p> <p>6 A No idea. I guess, yeah.</p> <p>7 Q Based on the way the message appears?</p> <p>8 A Yes, based on the message.</p> <p>9 Q You didn't recognize that as a number you knew?</p> <p>10 A Correct.</p> <p>11 Q It then says Daniel Echeverria, correct?</p> <p>12 A Yes.</p> <p>13 Q And then it says wanted to talk to you but would</p> <p>14 not tell me why, started swearing on phone, correct?</p> <p>15 A Yes.</p> <p>16 Q And the next sentence then reads said he got</p> <p>17 dumped. Did you have an idea what Daniel Echeverria may</p> <p>18 have been referring to when it said he got dumped?</p> <p>19 A No.</p> <p>20 Q You didn't believe that that had something to do</p> <p>21 with the fact that he was no longer a member of the</p> <p>22 narcotics unit?</p> <p>23 A I mean, he didn't get sent back to patrol, which</p> <p>24 generally when someone -- when you use the term dumped, that</p>	<p style="text-align: right;">Page 88</p> <p>1 accommodating.</p> <p>2 Q In terms of did you direct anyone to call Daniel</p> <p>3 Echeverria back after this?</p> <p>4 A No.</p> <p>5 Q Did you ever show it to anyone at any point in time</p> <p>6 before this lawsuit?</p> <p>7 MR. KING: You're referring to Exhibit 1?</p> <p>8 MR. SMITH: I'm referring to Exhibit 1, yes.</p> <p>9 THE WITNESS: I mean, the only -- I mean, Sue Ballauer,</p> <p>10 Sergeant Maryet Hall and me. I don't recall if I showed it</p> <p>11 to -- I don't -- I didn't show it to anyone officially like</p> <p>12 as far as a complaint or anything like that. I just figured</p> <p>13 he was upset. Again I was going to just let it go, and that</p> <p>14 was it.</p> <p>15 BY MR. SMITH:</p> <p>16 Q Did you ever tell Juan Rivera about the call you</p> <p>17 received or the message you received about Daniel</p> <p>18 Echeverria?</p> <p>19 A I don't recall mentioning it to him but that's not</p> <p>20 to say I might not have. After the lawsuit came out that we</p> <p>21 never had a meeting but, you know, you have an off the cuff</p> <p>22 conversation. I might have said it but I don't even recall</p> <p>23 saying it to him. I don't want to pigeonhole myself in</p> <p>24 saying I didn't because I don't remember.</p>
<p style="text-align: right;">Page 87</p> <p>1 means you go from a specialized unit back to patrol on a</p> <p>2 beat car. He was still in specialized units, so I don't</p> <p>3 know. I didn't know all the details of what he was -- what</p> <p>4 was going on in his head. So, I mean, I knew that it</p> <p>5 probably referred to something about him not coming back to</p> <p>6 narcotics but --</p> <p>7 Q So as you sit here today, do you think back then</p> <p>8 you believed that it had something to do with him not coming</p> <p>9 back to narcotics that he got dumped?</p> <p>10 A I can only assume that, yes, or surmise that. I</p> <p>11 don't know, whatever is the right word.</p> <p>12 Q So if the word swearing on the phone wasn't on</p> <p>13 here, do you believe you would have called him back?</p> <p>14 A I think if it was a respectful call to me without</p> <p>15 all that in there and not to mention my administrator was</p> <p>16 quite upset at the call, yeah, if he would have said please</p> <p>17 call me back, I need to discuss a matter with you, I don't</p> <p>18 see why I wouldn't. I'm pretty open. I could bring in 500</p> <p>19 people that could tell you that I'm very respectful to</p> <p>20 police officers, and people come in to see me in my office</p> <p>21 all the time. If I'm in the middle of eating lunch or</p> <p>22 writing a report, they say -- my secretary will say, hey, so</p> <p>23 and so would like to say hi to you, they come right in, hi,</p> <p>24 how are you, how are you doing, all the time. I'm very</p>	<p style="text-align: right;">Page 89</p> <p>1 Q Before the lawsuit did you mention it to him?</p> <p>2 A I do not recall mentioning it to him.</p> <p>3 Q Did you mention it to O'Grady?</p> <p>4 A I might have mentioned it to him. I'm not 100</p> <p>5 percent.</p> <p>6 Q Why would you have mentioned it to O'Grady?</p> <p>7 A Well, I think it's pretty pertinent to the fact</p> <p>8 that we knew he did not want them back in the unit based on</p> <p>9 his recommendation from his sergeants and his lieutenants</p> <p>10 and I assume based on their recommendations and some past</p> <p>11 history, and we knew that Daniel and Shannon were the center</p> <p>12 of this discrepancy with coming back or not coming back, so</p> <p>13 I think it was pertinent that that was something -- like I</p> <p>14 said, it wasn't an official meeting. I probably at some</p> <p>15 point told him, you know, Echeverria called me the other day</p> <p>16 and was swearing at Sue Ballauer on the phone, and probably</p> <p>17 that was it. I don't recall the exact details of the</p> <p>18 conversation, but I do believe I mentioned it to him.</p> <p>19 Q Do you remember James O'Grady saying anything back</p> <p>20 to you at that point?</p> <p>21 A I think if -- no.</p> <p>22 Q Were you ever shown any arrest -- data concerning</p> <p>23 arrests that Echeverria or Shannon Spalding made in terms of</p> <p>24 like how many arrests they make per a period of time while</p>

<p style="text-align: right;">Page 90</p> <p>1 working in narcotics, that sort of thing?</p> <p>2 A No.</p> <p>3 Q Just in terms of -- I think we're close to it now</p> <p>4 being done, but just in terms of the people -- Juan Rivera,</p> <p>5 when did you first meet him and under what circumstances?</p> <p>6 A I think Juan Rivera came on the job the same year I</p> <p>7 did in 1986, but I didn't -- you know, I know of people.</p> <p>8 You know them. We never worked together. We never worked</p> <p>9 in the same units together. We were never partners, so I</p> <p>10 don't socialize with him or I've never actually even talked</p> <p>11 to him outside of work that I could recall, so I've known</p> <p>12 him. If you want to say who Juan Rivera is, I've known him</p> <p>13 since '86, I think. I think that's -- he came on the job</p> <p>14 the same year I did.</p> <p>15 Q In terms of conversation obviously with your</p> <p>16 attorney present you don't have to speak of, but did you</p> <p>17 ever talk to Juan Rivera about this lawsuit outside of the</p> <p>18 presence of your attorney?</p> <p>19 A Yeah. I've never spoken to him with my attorneys</p> <p>20 present, and I've spoken to him briefly. We never had a sit</p> <p>21 down meeting about it or anything, but it was mostly, I</p> <p>22 would say, maybe commiserating like can you believe they</p> <p>23 went on TV and said that or -- you know, but Juan was --</p> <p>24 didn't really -- Juan is very -- doesn't talk a lot, so he</p>	<p style="text-align: right;">Page 92</p> <p>1 A Again I think she came on the job in 1986, but I</p> <p>2 never really crossed paths with her in 20 plus years until I</p> <p>3 was in the command staff, so sometime after 2005, you know,</p> <p>4 but again I don't socialize with her, you know, but I just</p> <p>5 know her. I've probably known who she was for many years.</p> <p>6 I think she made lieutenant the same year I made lieutenant,</p> <p>7 but I'm not sure. It was a big class but -- so I've known</p> <p>8 her for many years who she was, but there's probably been</p> <p>9 slots of 20 years I didn't talk to her.</p> <p>10 Q Have you ever talked to her about Danny Echeverria</p> <p>11 or Shannon Spalding?</p> <p>12 A No, I never talked -- I don't recall ever talking</p> <p>13 to her about this at all.</p> <p>14 Q Did you ever talk to her about the F.B.I.</p> <p>15 investigation of Watts?</p> <p>16 A No.</p> <p>17 Q You already mentioned James O'Grady. How did you</p> <p>18 first know James O'Grady?</p> <p>19 A James O'Grady did come on the job in 1986 as well.</p> <p>20 I knew his name because he happened to be in the same class</p> <p>21 with a guy who was my partner for a while, so I somehow knew</p> <p>22 who he was because of that, but again he worked on the north</p> <p>23 and like west side. I always worked on the south side in</p> <p>24 the years coming up, and I didn't really get to know him to</p>
<p style="text-align: right;">Page 91</p> <p>1 didn't really talk about it. Just kind of an off the cuff,</p> <p>2 hey, did you get the lawsuit today, you know, they said --</p> <p>3 they said they did this and I don't think they ever did</p> <p>4 that. You know, it would be me talking. He would say I</p> <p>5 don't know. We never got into a deep factual conversation</p> <p>6 about the case.</p> <p>7 Q What did you say that they claimed they did that</p> <p>8 you didn't believe they did?</p> <p>9 A I was paraphrasing like just -- like, for instance,</p> <p>10 I could actually pick out a couple of things. Like for</p> <p>11 instance, they said they -- like in the news conference and</p> <p>12 stuff that they were undercover and that their identities</p> <p>13 were given out. Well, A, they were never undercover in that</p> <p>14 investigation. Undercover entails that they would have been</p> <p>15 a facilitator between some of the direct conversation or</p> <p>16 direct hand-to-hand transactions with the target of the</p> <p>17 investigation, which they were not. Just some of the things</p> <p>18 that they -- that came out in the complaint and on TV that</p> <p>19 were in my estimation fabrications.</p> <p>20 Q Anything else beyond that?</p> <p>21 A No. There was no -- no.</p> <p>22 Q Do you know Debra Kirby?</p> <p>23 A Yes.</p> <p>24 Q How long have you known Debra Kirby?</p>	<p style="text-align: right;">Page 93</p> <p>1 where I could say I know him better than average until I</p> <p>2 became the commander of narcotics is probably when I first</p> <p>3 started to get to know him because he was a lieutenant there</p> <p>4 for a while. And then when I moved up to deputy chief, he</p> <p>5 became the commander of narcotics, so then he stayed as the</p> <p>6 commander of narcotics through those years till I went to</p> <p>7 chief, so I got to know him in those years.</p> <p>8 Q In terms of James O'Grady, when you first became</p> <p>9 commander of narcotics, did he tell you anything about</p> <p>10 Shannon Spalding or Danny Echeverria at that point?</p> <p>11 A I don't think so, no. I don't think they were</p> <p>12 under his supervision.</p> <p>13 Q Did you ever speak to James O'Grady about the</p> <p>14 lawsuit outside the presence of your attorney?</p> <p>15 A Yes.</p> <p>16 Q What did you talk about?</p> <p>17 A Just a little bit of commiserating again some of</p> <p>18 the facts of the case that we thought were just -- thought</p> <p>19 were outlandish in some ways, the fact that we were being</p> <p>20 painted -- and he was very upset that he couldn't believe he</p> <p>21 was actually being accused of things and being sued by</p> <p>22 fellow police officers, commiserating a little bit about,</p> <p>23 you know, trying to take supervisory or corrective action</p> <p>24 and, you know, how it kind of got turned around and just,</p>

<p style="text-align: right;">Page 94</p> <p>1 you know -- really that's kind of the main gist of the 2 conversations. Yeah. 3 MR. KING: Don't guess. 4 BY MR. SMITH: 5 Q Did you ever talk about anything in terms of the 6 complaint indicating that people were calling Spalding and 7 Echeverria rats? 8 A Yeah, actually because we thought -- because I 9 don't know if I'm accused of that or not. I don't recall, 10 but I know he was accused of that and I remember again it 11 would almost be like commiserating but I was saying, well, 12 you'd have to be a heck of a hypocrite to call them rats 13 because you worked in IAD for a while yourself, didn't you, 14 or something like that. He said yeah. And I said, and me, 15 I've had the role in the arrest of police officers myself on 16 as or more important of cases than that, you know, just kind 17 of like a commiserating, you know, type of conversation 18 but -- and to say why would I call them rats -- and 19 especially we were saying because I thought somewhere it 20 says that, you know -- I don't know. Maybe like that they 21 said that Juan Rivera said that O'Grady said that or 22 something like -- so he called them rats in front of the 23 chief of IAD. That doesn't seem very credible or something 24 like that.</p>	<p style="text-align: right;">Page 96</p> <p>1 have been in here. Was there any talk about the banning 2 from the building with O'Grady when he talked about the 3 lawsuit? 4 A No, not about the lawsuit, just that -- when we 5 talked briefly about it. 6 Q Do you know Kevin Sadowski? 7 A I do not know him personally. I think I know who 8 he is but I don't know him. I think I could pick him out 9 but I'm not sure. 10 Q Do you know a Lieutenant Deborah Pascua, 11 P-a-s-c-u-a? 12 A I know who she is, but I don't recall ever having a 13 conversation with her in my career. 14 Q Do you know a police commander, Adrian Stanley? 15 A Yes, but again I don't know if I've ever had a 16 conversation with her either in my career. 17 Q Do you know a Chicago police sergeant, Maurice 18 Barnes? 19 A I do. 20 Q How do you know Maurice Barnes? 21 A I never really worked with Maurice but at one point 22 when we were young police officers, we both worked security 23 at the stadium I think is where I first met him, and I've 24 just kind of known him over the years, say hi if I see him.</p>
<p style="text-align: right;">Page 95</p> <p>1 Q When you say you were involved in a more important 2 arrest potentially than of a fellow officer, potentially 3 than Echeverria and Spalding, what were you referring to? 4 A Specifically I guess in that case I was referring 5 to that Tashika Sledge case where she was actually charged 6 with federal narcotics conspiracy -- drug conspiracy as 7 opposed to -- I don't know all the details of the case. 8 What's the -- Sergeant -- 9 Q Watts. 10 A -- Watts except for I thought it was like official 11 misconduct and theft and things like that as opposed to like 12 an ongoing conspiracy but -- 13 Q Were you under the impression that the Watts matter 14 wasn't about an ongoing conspiracy? 15 A Well, I knew it was long, but I thought it was -- 16 to my knowledge, it was that he was stealing money and 17 extorting gangbangers and drug dealers as opposed to 18 facilitating the distribution of narcotics. I could be 19 wrong but that's just what I thought. 20 Q Have you ever heard of any rumors that he was 21 involved in homicides? 22 A No, I never heard that. 23 Q Did you talk with O'Grady about the allegation 24 relating to -- let me make sure it's in here. It might not</p>	<p style="text-align: right;">Page 97</p> <p>1 Q Did you ever talk with him about Shannon Spalding 2 or Danny Echeverria? 3 A I did not. 4 Q Did you ever talk with him about the lawsuit again 5 outside the presence of your attorney? 6 A I have not. 7 Q Do you know Lieutenant Robert Cesario? 8 A I do. 9 Q How did you know Robert Cesario? 10 A I first met Robert -- Lieutenant Cesario when I was 11 assigned as a lieutenant in Area 4 homicide division, and he 12 came in near the end of my tenure as a sergeant and he 13 worked briefly under my supervision. I don't know how long. 14 I wasn't there that long. I was only there for about a year 15 and a half or so, and for a while he was there as a 16 sergeant. And then I haven't worked with him since, but I 17 just know who he is and cordial to him. 18 Q Have you ever talked with him about Danny 19 Echeverria or Shannon Spalding? 20 A I have not. 21 Q Did you ever talk to him about the lawsuit outside 22 the presence of an attorney? 23 A I have not. 24 Q Do you know Commander Salemi?</p>

<p style="text-align: right;">Page 98</p> <p>1 A Salemi, yeah, I do.</p> <p>2 Q How do you know him?</p> <p>3 A I first met Commander Salemi when I became the</p> <p>4 commander of the gang investigations or gang intelligence at</p> <p>5 the time, and he was a lieutenant there. So he worked under</p> <p>6 my supervision for, oh, about over a year, year and a half</p> <p>7 maybe, two years.</p> <p>8 Q And did you ever talk with him about Danny</p> <p>9 Echeverria or Shannon Spalding?</p> <p>10 A No.</p> <p>11 Q And did you ever talk to him about the lawsuit</p> <p>12 outside the presence of an attorney?</p> <p>13 A Nothing in-depth other than -- no. I'm going to</p> <p>14 say it's been mentioned in passing but no specifics of the</p> <p>15 case, just I see you're on the lawsuit, too, type of thing</p> <p>16 or whatever.</p> <p>17 Q Anything -- did he say anything to you at that</p> <p>18 point in time?</p> <p>19 A No, just -- I mean, nothing of substance.</p> <p>20 Q Do you know Thomas Mills, police sergeant?</p> <p>21 A I know who Tom Mills is. I do know him, yes.</p> <p>22 Q How do you know him?</p> <p>23 A I don't recall where I first came across Tom Mills.</p> <p>24 It was many years ago, but I've never really worked with him</p>	<p style="text-align: right;">Page 100</p> <p>1 CR?</p> <p>2 MR. KING: Just object to the lack of foundation and</p> <p>3 calling for speculation in a hypothetical situation but to</p> <p>4 the extent --</p> <p>5 BY MR. SMITH:</p> <p>6 Q Hypothetically speaking.</p> <p>7 A Can you just rephrase it a little bit?</p> <p>8 Q Hypothetically speaking, if an officer under the</p> <p>9 command of a sergeant or a lieutenant or higher up went to</p> <p>10 that supervisor and said, you know, I've been the -- I've</p> <p>11 been harassed and retaliated against, supervisors and police</p> <p>12 officers are calling me a rat and saying that they will not</p> <p>13 protect me in the streets, would it be the obligation of the</p> <p>14 supervisor to initiate a CR if they were requested to?</p> <p>15 MR. KING: Same objections. You can answer if you can.</p> <p>16 THE WITNESS: I mean, in general if an officer is being</p> <p>17 in a hostile work environment or in a dangerous work</p> <p>18 environment or being harassed some way and feels they have a</p> <p>19 legitimate complaint and they bring it to a supervisor, the</p> <p>20 supervisor should take some type of action which could</p> <p>21 include a CR number.</p> <p>22 BY MR. SMITH:</p> <p>23 Q Would they be required under the general orders to</p> <p>24 take a CR if requested?</p>
<p style="text-align: right;">Page 99</p> <p>1 since or, you know, come across him, but I know him. We</p> <p>2 always say hi to each other when we see each other, but I</p> <p>3 don't know him well.</p> <p>4 Q Did you ever talk with him about Danny Echeverria</p> <p>5 or Shannon Spalding?</p> <p>6 A I have not.</p> <p>7 Q Were you at all aware of any CR in relation to</p> <p>8 Shannon Spalding and concerning a recording of a Thomas</p> <p>9 Mills?</p> <p>10 A The what of a Thomas Mills?</p> <p>11 Q A recording like a tape recording.</p> <p>12 A No, I don't know of that.</p> <p>13 Q In terms of have you ever -- my mind skipped a</p> <p>14 beat. Did I ask you -- I might have already asked you this,</p> <p>15 but did you ever talk to Thomas Mills about this lawsuit</p> <p>16 outside the presence of your attorney?</p> <p>17 A I have not.</p> <p>18 Q In terms of would you agree that if an officer went</p> <p>19 to a supervisor and asked that a CR should be made or a</p> <p>20 report should be made that fellow officers or -- who are</p> <p>21 supervisors are calling them rats or words to that effect or</p> <p>22 inferring that people wouldn't back them up on the streets</p> <p>23 if they were in a dangerous situation, would you agree that</p> <p>24 it would be the obligation of the supervisor to initiate a</p>	<p style="text-align: right;">Page 101</p> <p>1 MR. KING: Same objections.</p> <p>2 THE WITNESS: When there's an allegation brought to a</p> <p>3 supervisor of certain types of wrongdoing, they are required</p> <p>4 by order to get a CR number. I mean, the way you phrased</p> <p>5 that, I mean, under that exact circumstance it might be the</p> <p>6 safe bet. I mean, there's a little gray area in there, but</p> <p>7 it might be the safe bet to get a CR number.</p> <p>8 MR. SMITH: I think we're done. If I could just go</p> <p>9 through my notes real quick. Okay. I think I'm all done.</p> <p>10 MR. KING: I don't have any questions. We'll reserve.</p> <p>11 MR. SMITH: I guess I'll order a copy. I'll order it</p> <p>12 and that way you can have a copy this time.</p> <p>13 MR. KING: If he orders it, we'll take a copy.</p> <p>14 DEPONENT FURTHER SAITH NOT.</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

<p style="text-align: right;">Page 102</p> <p>1 STATE OF ILLINOIS) 2) ss: 3 COUNTY OF C O O K) 4 5 I, Linda M. Benda, C.S.R., Notary Public, do 6 hereby certify that I reported in shorthand the testimony 7 held at the deposition of Nicholas Roti on December 3, 2014, 8 and that this transcript is a true and accurate 9 transcription of my shorthand notes so taken, to the best of 10 my ability, and contains all of the proceedings given at 11 said deposition. 12 13 14 <%Signature%> 15 Linda M. Benda, C.S.R., Notary Public 16 No. 084-003550 17 18 19 20 21 22 23 24</p>	<p style="text-align: right;">Page 104</p> <p>1 DEPOSITION REVIEW CERTIFICATION OF WITNESS 2 3 ASSIGNMENT NO: 1975322 CASE NAME: Spalding, Shannon v. City of Chicago DATE OF DEPOSITION: 12/3/2014 4 WITNESS' NAME: Nicholas Roti 5 In accordance with the Rules of Civil Procedure, I have read the entire transcript of 6 my testimony or it has been read to me. 7 I have listed my changes on the attached Errata Sheet, listing page and line numbers as 8 well as the reason(s) for the change(s). 9 I request that these changes be entered as part of the record of my testimony. 10 11 I have executed the Errata Sheet, as well as this Certificate, and request and authorize 12 that both be appended to the transcript of my testimony and be incorporated therein. 13 Date Nicholas Roti 14 Sworn to and subscribed before me, a 15 Notary Public in and for the State and County, the referenced witness did personally appear 16 and acknowledge that: 17 They have read the transcript; They have listed all of their corrections 18 in the appended Errata Sheet; They signed the foregoing Sworn 19 Statement; and Their execution of this Statement is of 20 their free act and deed. 21 I have affixed my name and official seal 22 this _____ day of _____, 20____. 23 Notary Public 24 _____ 25 Commission Expiration Date</p>
<p style="text-align: right;">Page 103</p> <p>1 DEPOSITION REVIEW CERTIFICATION OF WITNESS 2 3 ASSIGNMENT NO: 1975322 CASE NAME: Spalding, Shannon v. City of Chicago DATE OF DEPOSITION: 12/3/2014 4 WITNESS' NAME: Nicholas Roti 5 In accordance with the Rules of Civil Procedure, I have read the entire transcript of 6 my testimony or it has been read to me. 7 I have made no changes to the testimony as transcribed by the court reporter. 8 9 Date Nicholas Roti 10 Sworn to and subscribed before me, a Notary Public in and for the State and County, 11 the referenced witness did personally appear and acknowledge that: 12 13 They have read the transcript; They signed the foregoing Sworn Statement; and 14 Their execution of this Statement is of their free act and deed. 15 16 I have affixed my name and official seal this _____ day of _____, 20____. 17 Notary Public 18 _____ 19 Commission Expiration Date 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 105</p> <p>1 ERRATA SHEET VERITEXT LEGAL SOLUTIONS MIDWEST 2 ASSIGNMENT NO: 1975322 3 PAGE/LINE(S) / CHANGE /REASON 4 _____ 5 _____ 6 _____ 7 _____ 8 _____ 9 _____ 10 _____ 11 _____ 12 _____ 13 _____ 14 _____ 15 _____ 16 _____ 17 _____ 18 _____ 19 _____ 20 _____ Date Nicholas Roti 21 SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ 22 DAY OF _____, 20____. 23 Notary Public 24 _____ 25 Commission Expiration Date</p>

Exhibit G

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Chicago Police Officer SHANNON SPALDING,)
Chicago Police Officer DANIEL ECHEVERRIA,) Case No. 12-cv-8777
)
Plaintiffs,) Judge Gary Feinerman
) Magistrate Judge Shelia Finnegan
v.)
)
CITY OF CHICAGO, *et al.*,)
)
Defendants.)

DECLARATION OF NICHOLAS ROTI

I, Nicholas Roti, declare under penalty of perjury that this statement is true and correct.

1. I was employed with the Chicago Police Department ("CPD") from June 1996 until March 2015. From in or about March 2008 to in or about August 2008, I was the Commander of the Narcotics Section of the Bureau of Organized Crime. From in or about August 2008 until in or about October 2008, I was the Deputy Chief of the Detective Division. In or about October 2008, I became the Deputy Chief of Organized Crime. In or about July 2010, I became the Chief of the Bureau of Organized Crime, and I remained in that position until I retired from CPD in March 2015.

2. When I took over the Narcotics Division in 2008, I spoke with and received information from the assigned lieutenants regarding the personnel in my new unit. Some of that information included personnel assessments of the officers in Narcotics completed by their supervisors, which were emailed to me by Lt. Navarro on April 13, 2008. With respect to Shannon Spalding, the personnel assessment completed by her sergeant at the time, Sergeant Kevin Johnson, stated as follows:

P.O. Spalding, Shannon #17887.
Strengths: none

Weakness: Source of conflict and division within team. Questions orders and missions. Very deceptive in manner. Fails to follow directions. Surveillance abilities average; buy abilities hampered by her approach and attitude towards targets. Will not take initiative during operations and fails to adapt to changing conditions. Bypasses chain of command on a consistent basis. Critical of supervision and fellow team members to other personnel.

(A copy of this assessment is attached hereto as Exhibit 1.)

3. In or about June 2008, I was asked and authorized Plaintiffs Shannon Spalding and Daniel Echeverria (collectively, "Plaintiffs") to work with the Internal Affairs Division ("IAD") and the FBI on as-needed basis on a corruption investigation. However, prior to November 2012 when Plaintiffs filed their federal lawsuit and their lawsuit was discussed in the media, I had no knowledge that either Plaintiff reported to the FBI any alleged criminal misconduct or corruption by Sergeant Ronald Watts ("Watts"), Sergeant Kallat Mohammad ("Mohammad") or any other Chicago Police officer.

4. Similarly, while I was aware and authorized Plaintiffs to work with IAD and the FBI on as-needed basis on a corruption investigation, prior to November 2012 when Plaintiffs filed their federal lawsuit and their lawsuit was discussed in the media, I also had no knowledge that either Plaintiff reported or disclosed information to the FBI, to any government or law enforcement agency or to anyone within CPD that Watts, Mohammad or any other Chicago Police officer violated any state or federal law, rule, or regulation.

5. In May 2011, I was asked informally by then Chief Juan Rivera of IAD about taking Plaintiffs back in the Bureau of Organized Crime, Narcotics Division. I consulted with Commander of Narcotics, James O'Grady, and we agreed that we were not interested in taking Plaintiffs back, and I so informed Chief Rivera. One of the reasons that I was not interested in taking Plaintiffs back in Narcotics was because Spalding had received the extremely poor performance evaluation in April 2008, when she was previously in Narcotics. (See Exhibit 1.)

6. I never made any statements to or about Plaintiffs or took any action against or relating to Plaintiffs based on any reports they may have made to the FBI of alleged criminal misconduct or corruption by Watts, Mohammad or any other Chicago Police officer.

7. I never made any statements to or about Plaintiffs or took any action against or relating to Plaintiffs based on the fact that Plaintiffs may have disclosed information to the FBI, to any government or law enforcement agency or to anyone within CPD that Watts, Mohammad or any other Chicago Police officer violated any state or federal law, rule, or regulation.



Nicholas Roti

Executed on February 2, 2016

Exhibit H

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SHANNON SPAULDING and)
DANIEL ECHEVERRIA,)
)
Plaintiffs,)
)
-vs-) No. 12 CV 8777
)
CITY OF CHICAGO, et.)
al.,)
)
Defendants.)

The Deposition of JAMES O'GRADY taken before
Thomas A. Manno, C.S.R., pursuant to the Federal Rules of
Civil Procedure pertaining to the taking of depositions
for the purpose of discovery, at Christopher Smith Trial
Group, One North LaSalle Street, Suite 3040, Chicago,
Illinois 60602 on March 5, 2015, at 9:30 a.m.

<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES: 2 CHRISTOPHER SMITH TRIAL GROUP 3 One North LaSalle Street, Suite 3040 4 Chicago, Illinois 60602 5 BY: MR. CHRISTOPHER SMITH 6 Chris@lawsja.com 7 312-432-0400 8 Appearing on behalf of the Plaintiffs; 9 DRINKER, BIDDLE & REATH, LLP 10 191 North Wacker Drive, Suite 3700 11 Chicago, Illinois 60606 12 BY: MR. ALAN S. KING 13 312-569-1334 14 Alan.king@dbr.com 15 Appeared on behalf of the Defendants. 16 17 18 19 20 21 22 23 24</p>	<p style="text-align: right;">Page 4</p> <p>1 (Witness sworn.) 2 JAMES O'GRADY, 3 being first duly sworn, was examined and testified as 4 follows: 5 EXAMINATION 6 BY MR. SMITH: 7 Q. Can you please state your name and spell your 8 name for the record? 9 A. James O'Grady, O-G-R-A-D-Y. 10 Q. Where are you currently employed? 11 A. The Village of Harwood Heights, Illinois. 12 Q. And what is your position there? 13 A. I'm the Chief of Police. 14 Q. And when did you become the Chief of Police 15 there? 16 A. December of 2013. 17 Q. Prior to that, where did you work? 18 A. I was employed by the Chicago Police Department 19 from 1986 until 2013. 20 Q. What reason did you leave? 21 A. I retired from the Chicago Police Department 22 and I took another position. 23 Q. And I know that's a long period of time, but 24 essentially if you could try to do your best to give me</p>
<p style="text-align: right;">Page 3</p> <p>1 INDEX 2 3 WITNESS: PAGE: 4 James O'Grady 4 5 (Exam. By Mr. Smith) 4 6 (Exam. By Mr. King) 87 7 (Further Exam. By Mr. Smith) 88 8 EXHIBITS: 9 No exhibits were marked. 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24</p>	<p style="text-align: right;">Page 5</p> <p>1 your main assignments and the years, timeframe, as to 2 when you moved or were promoted-- 3 A. Sure. 4 Q. --within the Chicago Police Department. 5 A. I started with the Chicago Police Department in 6 July of 1986. I was first assigned to the academy for 7 training. Subsequent to that, I was assigned to the 13th 8 District, west side of Chicago. I worked there until 9 1988, when I was detailed to the Area 4 Gang Task Force. 10 I worked there until approximately 1990. 11 I returned to 13th District and was then 12 assigned to the Narcotics Division in 1991. I worked 13 there until 1997, I believe, when I applied for and was 14 assigned to the Internal Affairs Unit, where I worked 15 undercover on police impersonators and police corruption 16 cases. 17 I was then promoted as sergeant in 1998 and 18 assigned to the 15th Police District until 1999, where I 19 returned to the Narcotics Division as a sergeant. 20 Approximately 2002, I was detailed to the 21 Office of Legal Affairs as the commanding officer, where 22 I dealt with issues, legal issues, affecting the Chicago 23 Police Department, including contract issues, labor 24 issues, suspensions, terminations, investigations</p>

<p style="text-align: right;">Page 6</p> <p>1 involving police officers.</p> <p>2 And then returned to the Narcotics Unit, I</p> <p>3 believe, in 2003, at which point I was assigned to the</p> <p>4 DEA Task Force, Group 47, Federal Task Force, operating</p> <p>5 out of Homan Square.</p> <p>6 I was promoted to the rank of lieutenant in</p> <p>7 2006, assigned to the 15th District again as a watch</p> <p>8 commander on the third watch.</p> <p>9 In 2008, I returned to the Narcotics Division</p> <p>10 as a lieutenant, and promoted to the rank of commander</p> <p>11 in, I believe, August of 2008, commander of the Narcotics</p> <p>12 Division.</p> <p>13 And then assigned as the commander of the 11th</p> <p>14 District in 2013, October of 2013. And then I retired in</p> <p>15 December of 2013.</p> <p>16 Q. Thank you.</p> <p>17 A. I was all over the place.</p> <p>18 Q. Could you explain a little how you got the</p> <p>19 position within IAD when you were assigned there? How</p> <p>20 did that come about?</p> <p>21 A. I applied for it. There was an opening.</p> <p>22 My former commander, Michael Hoke, he was a</p> <p>23 former commander of the Narcotics Division. He took over</p> <p>24 as the Deputy Superintendent of Internal Affairs.</p>	<p style="text-align: right;">Page 8</p> <p>1 there was sufficient grounds to terminate or to suspend.</p> <p>2 Q. Okay. So at that stage you weren't making the</p> <p>3 initial assessment of whether to recommend a suspension</p> <p>4 or termination, you were essentially helping the process</p> <p>5 of reviewing whether that was appropriate?</p> <p>6 A. Correct.</p> <p>7 Q. And were there times where you would disagree</p> <p>8 with a suspension or a termination, and believe that it</p> <p>9 wasn't sufficient evidence for a suspension or a</p> <p>10 termination?</p> <p>11 A. Yes.</p> <p>12 Q. And other times you would agree there was?</p> <p>13 A. Other times we would concur. Sometimes concur</p> <p>14 with the investigation, but not concur with the penalty,</p> <p>15 maybe suggesting an alternate penalty.</p> <p>16 On several occasions, I personally didn't feel</p> <p>17 there was legal sufficiency to support termination, and I</p> <p>18 would draft a synopsis of that for the Superintendent to</p> <p>19 review.</p> <p>20 Q. Was there ever a situation where somebody</p> <p>21 recommended a suspension, or something short of</p> <p>22 termination, where you recommended that there should be a</p> <p>23 termination?</p> <p>24 A. I don't recall specifically.</p>
<p style="text-align: right;">Page 7</p> <p>1 He and I had a conversation regarding me</p> <p>2 working for him. I thought that was an exciting for</p> <p>3 myself to learn more and to assist and helping the police</p> <p>4 department. I then applied for it and was accepted to</p> <p>5 the position.</p> <p>6 Q. Okay. You mentioned also that you had worked a</p> <p>7 position where you were kind of, I don't want to misquote</p> <p>8 you, but you essentially had a role in reviewing</p> <p>9 suspensions and viewing contracts and things of that</p> <p>10 nature.</p> <p>11 A. Correct.</p> <p>12 Q. What would have been your role with respect to,</p> <p>13 if there was somebody who was recommended for a</p> <p>14 suspension? At what stage would you be involved in that</p> <p>15 process?</p> <p>16 A. The General Counsel would receive I think it</p> <p>17 was any suspension of 15 days or more, or any termination</p> <p>18 cases. The General Counsel, she would then refer them to</p> <p>19 attorneys in the office.</p> <p>20 I was one of the attorneys who, we would review</p> <p>21 these CR numbers for legal sufficiency, that the</p> <p>22 investigations were done properly.</p> <p>23 And then we would do a cover sheet for the</p> <p>24 Superintendent to review to determine whether or not</p>	<p style="text-align: right;">Page 9</p> <p>1 I do remember when I was in Internal Affairs I</p> <p>2 recommended termination on a couple of cases. But when I</p> <p>3 was in Legal Affairs, I don't remember.</p> <p>4 There were so many CR numbers. I mean, on a</p> <p>5 daily basis, I'd have four or five CR numbers waiting for</p> <p>6 me.</p> <p>7 Q. Now, in terms of both as somebody who worked in</p> <p>8 IAD and as an officer with 30 years experience, including</p> <p>9 years as a commander, would it be fair to say that you</p> <p>10 have a fairly good understanding of the rules and</p> <p>11 regulations and general orders?</p> <p>12 A. A general understanding. Obviously our general</p> <p>13 orders are quite large. To say I know every single</p> <p>14 general order, no, I wouldn't. No, I don't.</p> <p>15 Q. In other words, you certainly don't have them</p> <p>16 all memorized?</p> <p>17 A. Absolutely not.</p> <p>18 Q. However, would you agree that, generally, you</p> <p>19 feel that you tried to have a decent understanding, and</p> <p>20 you also know where to go if you have a question about a</p> <p>21 general order?</p> <p>22 A. Correct.</p> <p>23 Q. For the most part, when you look at the general</p> <p>24 orders, in particular with respect to harassment and</p>

<p style="text-align: right;">Page 10</p> <p>1 issues of, retaliation-type issues within the Chicago 2 Police Department, you would agree that all the 3 department members should follow the rules and 4 regulations, that there's no exception based on rank? 5 A. Correct. 6 Q. And with respect to the rules regarding the 7 complaint registers in terms of when officers should 8 report misconduct, and when they should report crimes by 9 other officers, you would agree that those rules and 10 regulations don't have exceptions based on rank? 11 A. Correct. 12 Q. When you were first assigned to narcotics as a 13 lieutenant, what shift were you working? 14 A. When I first returned to the Narcotics Division 15 as the lieutenant, I was running the Asset Forfeiture 16 Unit, which is a sub-unit. At that time it had changed. 17 Asset Forfeiture at one time was under 18 Narcotics. Then it moved to Vice, then it was back to 19 Narcotics and back to Vice. 20 But at that time, in 1998, they needed a 21 lieutenant to work, to cover that forfeiture. So I was 22 still assigned to the Narcotics Division, but I was 23 working in the Asset Forfeiture Unit. 24 Q. And then when you were promoted to commander,</p>	<p style="text-align: right;">Page 12</p> <p>1 investigations being conducted against any members within 2 the Narcotics Unit? 3 A. Did our office conduct any investigations, or 4 that our officers were being investigated? 5 Q. That your officers were being investigated. 6 A. Not to my memory, no. 7 Q. Were you briefed about any officers being 8 suspected for use, sale or possession of narcotics within 9 the unit? 10 A. My unit? No. 11 Q. During your course as the commander of 12 Narcotics, were you made aware of any corrupt officers 13 involved in the sale, use or possession of illegal drugs? 14 A. My unit or outside units? 15 Q. Any of the units. Any of the individuals 16 within the Narcotics Unit. 17 A. No. 18 Q. As a commander of Narcotics, were you ever 19 informed by any outside agencies of any investigations of 20 members of the department being investigated for criminal 21 activity? 22 A. My officer or outside? 23 Q. That question would be outside. 24 Essentially outside agencies, like the DEA or</p>
<p style="text-align: right;">Page 11</p> <p>1 what units would you be overseeing? You'd be overseeing 2 Asset Forfeitures and other units as well? 3 A. It was the Narcotics Section then, and their 4 Asset Forfeiture Unit. 5 Q. And the Narcotics Section would be teams of 6 officers who were going out with a primary goal of 7 investigating narcotics traffic and the related crimes? 8 A. Correct. 9 Q. Who did you replace as the commander of 10 Narcotics? 11 A. Nicholas Roti. 12 Q. And when you first replaced Commander Roti, did 13 you have any type of meeting where you reviewed what was 14 going on with the Narcotics Unit and were given a 15 briefing of what concerns there were, and generally the 16 way things were working? 17 A. Yes. I mean, I was one of his lieutenants, so 18 I had a pretty fair understanding. And obviously having 19 been there for most of my career, I would say I had a 20 fair grasp of -- obviously he brought me up to speed on 21 certain things I didn't know about as a lieutenant, but 22 yes, that would be fair to say. 23 Q. When you were arrived as either a lieutenant or 24 the commander, were you informed of any corruption</p>	<p style="text-align: right;">Page 13</p> <p>1 FBI, did they come to you and say, we're investigating 2 any Chicago police officers for criminal activity? 3 A. Not that I can recall. 4 We did have our own independent investigations 5 that, but nothing from the outside agencies, like DEA, 6 ATF or FBI. 7 Q. When you say you had your own independent 8 investigations, were there investigations by narcotics 9 officers of other officers in different units suspected 10 of criminal activity? 11 A. Well, where violation of department orders were 12 involved, yes. So I would say, yes. 13 Q. When you say violations of orders involved, are 14 we talking about crimes, or just... 15 When I say "crimes," I mean like narcotics, 16 stealing, or more serious crimes even. 17 A. I mean, during the course of many of our wire 18 investigations, a police officer would come on the wire 19 as either an associate or some type of involvement with a 20 target. 21 And then in that case, we always initiated a CR 22 number on that officer. 23 Q. And were those investigations with wires, did 24 any of them involve co-op investigations that also</p>

<p style="text-align: right;">Page 14</p> <p>1 involved the DEA?</p> <p>2 A. Some yes and some no.</p> <p>3 Q. When you first arrived at Narcotics -- I'm</p> <p>4 sorry.</p> <p>5 When you first arrived as a lieutenant in</p> <p>6 Narcotics, were you aware of Shannon Spaulding and</p> <p>7 Danny Echeverria?</p> <p>8 A. By reputation. I had heard about them.</p> <p>9 Q. And what had you heard?</p> <p>10 A. That Danny was a decent officer.</p> <p>11 That Shannon Spaulding was very, very</p> <p>12 difficult. She was difficult to supervise, difficult to</p> <p>13 work with. She wasn't well regarded. She wasn't well</p> <p>14 liked by supervisors or other officers.</p> <p>15 Q. And when did you hear this?</p> <p>16 A. When I returned to the unit.</p> <p>17 At some point, Chief Nick Roti, the Deputy</p> <p>18 Chief, informed me that they were still on our sheets but</p> <p>19 working on a special investigation. So their names came</p> <p>20 up.</p> <p>21 Q. And was that when you were made a commander or</p> <p>22 was that when you were a lieutenant?</p> <p>23 A. Made commander.</p> <p>24 Q. And before that time, had you ever heard</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. Do you know what circumstance he came to you to</p> <p>2 have that conversation?</p> <p>3 A. No. Just in his office, having an informal</p> <p>4 talk about officers in the unit, what's going on with the</p> <p>5 teams, how guys are getting along, how are the teams</p> <p>6 working.</p> <p>7 Q. Did you ask him if he had any specific examples</p> <p>8 of what Spaulding did that was inappropriate, or made it</p> <p>9 difficult for her to work with?</p> <p>10 A. Just the general -- argumentative with the</p> <p>11 supervisors. Didn't get along with people. More general</p> <p>12 than specific.</p> <p>13 Q. Had you met Shannon Spaulding at that point in</p> <p>14 time?</p> <p>15 A. I've never met her.</p> <p>16 Q. Was there anyone else present when you had this</p> <p>17 conversation?</p> <p>18 A. No. I think that was just in his office.</p> <p>19 Q. Did he talk to you about any other officers</p> <p>20 besides Spaulding and Echeverria at that time?</p> <p>21 A. Yes, I'm sure we did. I don't recall</p> <p>22 specifically who, but just the overall well-being of the</p> <p>23 unit and officers on different teams. I can't remember</p> <p>24 specifically who.</p>
<p style="text-align: right;">Page 15</p> <p>1 anything about them?</p> <p>2 A. Yes.</p> <p>3 Q. From whom?</p> <p>4 A. Other officers in the unit.</p> <p>5 Q. Anyone in particular?</p> <p>6 A. One in particular, but I can't remember when he</p> <p>7 had this discussion. It was either when I was just made</p> <p>8 commander, or it might have been prior to that. That was</p> <p>9 Lieutenant Robert Cervenka.</p> <p>10 Q. And what did he tell you?</p> <p>11 A. That Shannon and Danny had to be split up.</p> <p>12 That she was very difficult to supervise. That she</p> <p>13 didn't get along with her team members. That she thought</p> <p>14 very highly of herself. She didn't work well with --</p> <p>15 basically didn't work well with anyone else.</p> <p>16 She was very adamant that she had to work with</p> <p>17 her partner. She was very, very upset that they split</p> <p>18 up, that they were split up, her and Echeverria, that</p> <p>19 they were put on separate teams, and she did not like</p> <p>20 that.</p> <p>21 Q. At that time you were not supervising Danny and</p> <p>22 Shannon, correct?</p> <p>23 A. I never supervised Danny and Shannon, ever.</p> <p>24 Never met them.</p>	<p style="text-align: right;">Page 17</p> <p>1 Q. Do you remember any comments he made about any</p> <p>2 other officers?</p> <p>3 A. I think one of the supervisors, too, we were</p> <p>4 also having an issue with.</p> <p>5 Q. And who was that?</p> <p>6 A. Sergeant Danny Allen.</p> <p>7 Q. What did he say about Danny Allen?</p> <p>8 A. Danny Allen just had a -- he had a difficult</p> <p>9 time keeping him focused on tasks, and wanting to do</p> <p>10 different things other than what he was assigned to.</p> <p>11 Q. Did you give him any advice as to what he</p> <p>12 should do with respect to Shannon Spaulding?</p> <p>13 A. They were already gone.</p> <p>14 Q. And do you have any idea why he brought that to</p> <p>15 your attention at that time?</p> <p>16 A. Basically grateful that they were gone, that</p> <p>17 she was out of the unit. He said he dodged a bullet on</p> <p>18 that one, she's gone, because she's very difficult to</p> <p>19 work with.</p> <p>20 Q. So, do you know how long after</p> <p>21 Shannon Spaulding was gone that you had this conversation</p> <p>22 with Robert Cervenka?</p> <p>23 A. No. She was gone by the time I took over.</p> <p>24 Q. Did you know what Shannon Spaulding's</p>

<p style="text-align: right;">Page 18</p> <p>1 assignment was when Cervenka was having these issues with 2 her?</p> <p>3 A. I'm not saying that Cervenka had issues with 4 her. I'm just saying that that was her reputation. He 5 was telling me about her.</p> <p>6 Q. Did you know what her assignment was when she 7 allegedly had difficulties with other officers?</p> <p>8 A. When she was having difficulty with other 9 officers, she was on one of the teams in Narcotics.</p> <p>10 Q. Did you ever talk to any of those team members 11 about Shannon Spaulding?</p> <p>12 A. No. It didn't come up. She was already gone.</p> <p>13 Q. When was the next time after that conversation 14 that you became aware of Officer Spaulding, or 15 Echeverria?</p> <p>16 A. Became aware of them? I mean, Chief Roti, he 17 was at that point Deputy Chief Roti.</p> <p>18 He informed me Shannon Spaulding and 19 Danny Echeverria were informally on loan to Internal 20 Affairs, working on a police corruption case.</p> <p>21 Q. When did he inform you of that?</p> <p>22 A. When I took over as commander.</p> <p>23 Q. And did he tell you any details about what they 24 were doing?</p>	<p style="text-align: right;">Page 20</p> <p>1 A. That was something Chief Roti -- I keep saying 2 "Chief," it's Deputy Chief then -- Deputy Chief Roti had 3 worked out with Chief Scale from Internal Affairs.</p> <p>4 Q. Did you ever talk with Chief Scale about that?</p> <p>5 A. No.</p> <p>6 Q. Did you have an understanding how practically 7 that was working, in terms of where they would report, 8 Danny and Shannon would report, and who they would report 9 to and how they would report?</p> <p>10 A. I have no information whatsoever, other than at 11 some point they were officially detailed to Internal 12 Affairs, I'm not sure of the date.</p> <p>13 Q. Did Nicholas Roti tell you anything about 14 Spaulding and Echeverria, in terms of whether they were 15 good officers, not great officers, hard working, not hard 16 working?</p> <p>17 A. He did, but I don't recall when that took 18 place.</p> <p>19 Q. What did he say?</p> <p>20 A. He said that they couldn't account for them. 21 They didn't know where they were. He said he had checked 22 with the FBI, and he verified how often they were 23 actually coming to work. And they said, we only use them 24 sporadically. So no one really knew where they were.</p>
<p style="text-align: right;">Page 19</p> <p>1 A. Nothing specific. Just that they were working 2 on a police corruption case.</p> <p>3 Q. And did he tell you that it involved 4 Officer Watts and Mohammed, or any officers in Public 5 Area Housing South?</p> <p>6 A. I don't believe so.</p> <p>7 Q. When did you first learn, if ever, that they 8 were involved in -- when did you first learn, if ever, 9 that there was an investigation regarding corruption of 10 Watts and Mohammed?</p> <p>11 A. There was some rumors that they were being 12 looked at, but I didn't know either one of them.</p> <p>13 So I didn't really -- it didn't really come up 14 on my radar.</p> <p>15 Q. And where did you hear those rumors?</p> <p>16 A. Sometime in late 2008, perhaps.</p> <p>17 Q. Do you know who you heard them from?</p> <p>18 A. I don't recall.</p> <p>19 Q. Did you ever work with Sergeant Watts or 20 Mohammed?</p> <p>21 A. No. I don't know either one of them.</p> <p>22 Q. Did you ever have any conversations with either 23 -- what was your understanding of how the arrangement 24 worked where they were being loaned out?</p>	<p style="text-align: right;">Page 21</p> <p>1 So I think Deputy Chief Roti told me his 2 concern was, no one was supervising them.</p> <p>3 So, he wanted to ensure that they were 4 adequately supervised and formally under the IAD 5 umbrella, because he didn't us to be responsible for 6 them, because we didn't know where they were.</p> <p>7 Q. When was that conversation? Was that at the 8 same time--</p> <p>9 A. I think it was subsequent. It was after that.</p> <p>10 Q. Do you know how long after that?</p> <p>11 A. No. I don't remember physically when.</p> <p>12 Q. Did you ask him any questions about in what 13 manner they were assigned to the FBI?</p> <p>14 A. No. It didn't affect me.</p> <p>15 Q. Were they under your supervision as commander 16 at that time?</p> <p>17 A. No. I never supervised either one of them.</p> <p>18 Q. When they were being loaned out, at that point 19 in time when they were being loaned out from Narcotics, 20 would technically you have been their supervisor or 21 commander?</p> <p>22 A. Technically I would have been in their chain of 23 command, but I had no idea who they were working for, or 24 on what, or their hours or their duties. I had no idea</p>

<p style="text-align: right;">Page 22</p> <p>1 what they were doing.</p> <p>2 Q. Would you even have known who to contact to see</p> <p>3 if they were doing their jobs?</p> <p>4 A. No.</p> <p>5 Q. Did you ask Roti who he had contacted to</p> <p>6 confirm whether or not they were doing their job?</p> <p>7 A. No. Deputy Chief Roti told me that they were</p> <p>8 on a special assignment and on loan to Internal Affairs.</p> <p>9 And other than, that that's all I knew.</p> <p>10 Q. Well, at some point it was brought up that they</p> <p>11 working with the FBI, correct?</p> <p>12 A. At some point, yes.</p> <p>13 Q. And did you know what -- did Roti tell you what</p> <p>14 he did to check on whether they were showing up on time,</p> <p>15 and working a full day and so on and so forth?</p> <p>16 A. He did, but I'm not sure when.</p> <p>17 He said he contacted the FBI agent assigned to</p> <p>18 that case, and he apparently said they had no idea where</p> <p>19 they were.</p> <p>20 Q. Did you have any sense of what timeframe the</p> <p>21 FBI agent was asked about?</p> <p>22 A. No.</p> <p>23 Q. Did you come up with any plan to deal with, you</p> <p>24 know, knowing where they were and how to account for them</p>	<p style="text-align: right;">Page 24</p> <p>1 initiated. It was online on my cue for me to review, to</p> <p>2 either concur or not concur. And I don't even remember</p> <p>3 the date it came through.</p> <p>4 Q. Do you remember if it was before or after the</p> <p>5 conversation you had with Roti about Spaulding and</p> <p>6 Echeverria working with the FBI?</p> <p>7 A. The CR number was after. I already knew they</p> <p>8 were working with the FBI and Internal Affairs on this</p> <p>9 special investigation. The CR number came in subsequent</p> <p>10 to that.</p> <p>11 Q. So, had Deputy Chief Roti mentioned anything</p> <p>12 about Shannon or Danny's character at any time before</p> <p>13 that CR?</p> <p>14 A. I don't recall.</p> <p>15 Q. And did you talk to Deputy Chief Roti about the</p> <p>16 CR?</p> <p>17 A. Yes.</p> <p>18 Q. What did Deputy Chief Roti tell you about the</p> <p>19 CR?</p> <p>20 A. That he was very concerned about it. It was</p> <p>21 very -- it was pretty disgraceful. I mean, just that she</p> <p>22 definitely was in violation of department rules.</p> <p>23 MR. KING: Who is she?</p> <p>24 THE WITNESS: That Officer Spaulding was in</p>
<p style="text-align: right;">Page 23</p> <p>1 with Deputy Commander Roti?</p> <p>2 A. It was Deputy Chief Roti.</p> <p>3 Q. Deputy Chief Roti.</p> <p>4 A. I had no involvement with them whatever. They</p> <p>5 were on loan, supposed reporting to Internal Affairs.</p> <p>6 At some point they were officially, Roti and</p> <p>7 Scale worked out a deal, or worked out an arrangement,</p> <p>8 where they would be officially detailed over. I'm not</p> <p>9 even sure of the date.</p> <p>10 Q. Did he mention whether he spoke to Juan Rivera</p> <p>11 about where they were working, and what their assignment</p> <p>12 was at that time, Deputy Chief Roti?</p> <p>13 A. He didn't mention it to me.</p> <p>14 Q. Was anybody else present for the conversation</p> <p>15 you had with Deputy Chief Roti about Spaulding,</p> <p>16 Echeverria and him contacting the FBI?</p> <p>17 A. I don't recall. I don't know if I was present</p> <p>18 or not.</p> <p>19 Q. Did Deputy Chief Roti make any comments about</p> <p>20 either Spaulding or Echeverria's character?</p> <p>21 A. They did at some point. I believe when that CR</p> <p>22 number came in.</p> <p>23 Q. When was that?</p> <p>24 A. I don't recall if there was a CR number</p>	<p style="text-align: right;">Page 25</p> <p>1 violation of department rules, and it bordered -- in</p> <p>2 my personal opinion, it was borderline criminal, what she</p> <p>3 did.</p> <p>4 But I once I reviewed it, it was then submitted</p> <p>5 to Roti for his review of that same CR number.</p> <p>6 MR. SMITH: Q. And did you do any investigating of</p> <p>7 that personally, the incident itself?</p> <p>8 Other than reviewing the report, you didn't do</p> <p>9 any actual investigating on your own regarding the</p> <p>10 incident?</p> <p>11 A. No.</p> <p>12 Q. Did Nicholas Roti tell you what his</p> <p>13 relationship was to the individuals, to the complainants</p> <p>14 in the case, in the CR?</p> <p>15 A. I don't recall, no.</p> <p>16 Q. Were you aware that Nicholas Roti had a</p> <p>17 relationship to individuals who were related to the</p> <p>18 complainants?</p> <p>19 MR. KING: Object to the lack of foundation.</p> <p>20 You can answer.</p> <p>21 THE WITNESS: I don't recall.</p> <p>22 MR. SMITH: Q. Would it be appropriate for a</p> <p>23 supervisor to be involved and investigating, or</p> <p>24 commenting on a CR, if they had relatives that were the</p>

<p style="text-align: right;">Page 26</p> <p>1 complainants?</p> <p>2 MR. KING: Object to the form, lack of</p> <p>3 foundation.</p> <p>4 THE WITNESS: He had no role in the</p> <p>5 investigation. I know that.</p> <p>6 MR. SMITH: Q. Do you know if he had any role in</p> <p>7 initiating the CR?</p> <p>8 A. I don't know.</p> <p>9 Q. So you had a role in reviewing the CR, correct?</p> <p>10 A. Yes.</p> <p>11 Q. And he was aware of that?</p> <p>12 A. Yes, he was aware of it.</p> <p>13 Q. You heard rumors about a possible investigation</p> <p>14 of corruption of Watts and Mohammed.</p> <p>15 Did you ever become formally aware that there</p> <p>16 was an investigation like, where you knew that there had</p> <p>17 been an investigation?</p> <p>18 A. Only when I read about it.</p> <p>19 Q. Did you become aware of whether or not there</p> <p>20 were other officers under investigation at that time who</p> <p>21 were connected with Watts or Mohammed?</p> <p>22 A. No.</p> <p>23 Q. Did you have any conversations with</p> <p>24 high-ranking officers within the Chicago Police</p>	<p style="text-align: right;">Page 28</p> <p>1 Chief Rivera about Shannon or Danny?</p> <p>2 A. No, I don't think so.</p> <p>3 Q. And again, that's Shannon Spaulding and Danny</p> <p>4 Echeverria.</p> <p>5 A. I don't believe I did, no.</p> <p>6 Q. Were you ever present in a meeting with</p> <p>7 Chief Rivera in which Danny Echeverria or</p> <p>8 Shannon Spaulding's positions were being discussed</p> <p>9 A. Absolutely not.</p> <p>10 Q. Did you have any reason to believe any of your</p> <p>11 unit members were under suspicion for any criminal</p> <p>12 activity during your tenure as commander in the Narcotics</p> <p>13 Division?</p> <p>14 A. One of my officers was arrested for a DUI that</p> <p>15 resulted in him going to prison.</p> <p>16 Q. Anything beyond that?</p> <p>17 A. Criminal, no. Well, I take it back. A</p> <p>18 domestic. One of my officers was arrested for a</p> <p>19 domestic.</p> <p>20 Q. Anything related to drugs, drug use or drug</p> <p>21 sales, other than the DUI?</p> <p>22 A. No.</p> <p>23 Q. In your 30-plus years of experience, you're</p> <p>24 aware of corruption investigating regarding officers</p>
<p style="text-align: right;">Page 27</p> <p>1 Department about the indictments of Watts and Mohammed?</p> <p>2 A. No. It didn't affect me whatsoever.</p> <p>3 Q. You know Chief Juan Rivera, correct?</p> <p>4 A. Yes.</p> <p>5 Q. How long have you known Chief Rivera?</p> <p>6 A. Almost 20 years.</p> <p>7 Q. And were you ever personal friends with him?</p> <p>8 A. I wouldn't say personal, not friends, but</p> <p>9 certainly friendly. He was a sergeant in Narcotics when</p> <p>10 I was an officer.</p> <p>11 So I knew him and certainly had respect for him</p> <p>12 and was friendly with him. I wouldn't say he was a</p> <p>13 friend.</p> <p>14 Q. Did Chief Rivera ever tell you about an</p> <p>15 investigation of members outside Unit 189 relating to</p> <p>16 drug crimes?</p> <p>17 A. No.</p> <p>18 Q. Did Chief Rivera ever tell you that Shannon or</p> <p>19 Danny were involved with IAD?</p> <p>20 A. No. I don't recall that.</p> <p>21 Q. Did Chief Rivera ever tell you that Danny or</p> <p>22 Shannon were working with the FBI?</p> <p>23 A. I don't believe so, no.</p> <p>24 Q. Did you ever have a conversation with</p>	<p style="text-align: right;">Page 29</p> <p>1 within the department such as Finnegan, Majanowski,</p> <p>2 Edward Lee Jackson? Are you familiar with those three</p> <p>3 examples?</p> <p>4 A. I'm familiar with -- I heard about the SOS</p> <p>5 scandal. I heard about Jerry Finnegan being involved in</p> <p>6 that. I never met him. I had met Majanowski.</p> <p>7 And the other one was Reginald Lee? Is that</p> <p>8 the 15th District officer?</p> <p>9 Q. Edward Lee Jackson is known as Pacman, 15th</p> <p>10 District.</p> <p>11 A. I definitely heard of him, yeah.</p> <p>12 Q. Are you aware he was accused of home invasions</p> <p>13 and other criminal acts, in that light?</p> <p>14 A. I'm aware of it, yes.</p> <p>15 Q. Were you aware that all three of those</p> <p>16 investigations were done by a joint investigation between</p> <p>17 the federal agencies and the Chicago Police Department?</p> <p>18 A. Just general. What I read in the newspaper.</p> <p>19 Q. Do you know or do you think it's a benefit when</p> <p>20 federal agencies join together with the CPD to</p> <p>21 investigate Chicago police officers?</p> <p>22 A. Sure it's a benefit. However, when I was with</p> <p>23 Internal Affairs, I arrested officers for home invasion</p> <p>24 and drug crimes.</p>

<p style="text-align: right;">Page 30</p> <p>1 Q. And do you recall who they were?</p> <p>2 A. The team I was on, we arrested</p> <p>3 Officer John Labiak, Karaster and Hutchinson (phonetic</p> <p>4 spellings) for home invasion and robbing of drug dealers,</p> <p>5 and I was the one who arrested them.</p> <p>6 Q. While you were in IAD, when officer were</p> <p>7 charged with crimes by the federal agencies, did you ever</p> <p>8 then reopen CRs to see if there was potentially other</p> <p>9 officers who worked with them were also involved in</p> <p>10 corruption?</p> <p>11 A. I didn't. I wouldn't of at that point in my</p> <p>12 career. I was an investigator. I wasn't a supervisor.</p> <p>13 Q. Did anyone ever tell you to do that, to go back</p> <p>14 and look at CRs that involved the indicted officers to</p> <p>15 see if other officers were involved in corruption?</p> <p>16 A. When we did the Labiak case, I do remember the</p> <p>17 team I was on, we did some follow-up. I don't recall</p> <p>18 specifically. It's been so long. It was back in '97, so</p> <p>19 I don't recall specifically.</p> <p>20 But we did look into furthering an</p> <p>21 investigation. I remember we did a search warrant on one</p> <p>22 of the lockers in the 11th District. I don't remember if</p> <p>23 other officers were involved in that.</p> <p>24 Q. Were those officers investigated at this point</p>	<p style="text-align: right;">Page 32</p> <p>1 corruption of another officer either who was inside your</p> <p>2 unit?</p> <p>3 In other words, one Chicago police officer says</p> <p>4 that somebody in the Narcotics Unit is committing crimes.</p> <p>5 A. No one ever made that allegation to me, no.</p> <p>6 Q. Did anyone at any point in time -- well, has</p> <p>7 anyone ever approached you while you were in Narcotics</p> <p>8 about a police officer outside of your unit committing</p> <p>9 crimes?</p> <p>10 A. I mean, I can speak of specific examples.</p> <p>11 My team, when I was supervisor, we encountered</p> <p>12 a -- in one of our investigations, it became apparent</p> <p>13 that a police officer was involved, and we seized a</p> <p>14 substantial amount of narcotics from his residence. I</p> <p>15 obtained a CR number on him.</p> <p>16 And then I was the affiant of a search warrant</p> <p>17 on his vehicle, because we believed his vehicle was used</p> <p>18 for transportation of narcotics. I was the affiant of</p> <p>19 the warrant for that.</p> <p>20 As a lieutenant, we did a search warrant on an</p> <p>21 apartment that, a state search warrant where one of my</p> <p>22 officers had a search warrant, and it ended up being the</p> <p>23 residence of a Chicago police officer.</p> <p>24 We obtained CR number on her, and I ordered her</p>
<p style="text-align: right;">Page 31</p> <p>1 then?</p> <p>2 A. I know they were investigated. I don't recall</p> <p>3 the specifics though.</p> <p>4 Q. Were there attempts to look at other older</p> <p>5 allegations of criminal activity?</p> <p>6 In other words, when you learned there was</p> <p>7 sufficient evidence to believe there was a potential for</p> <p>8 the criminality in the instance that you were involved in</p> <p>9 investigating, did you then go back and look at older CRs</p> <p>10 that involved different people in different instances</p> <p>11 connected to those officers?</p> <p>12 A. I remember we looked at old allegations against</p> <p>13 those officers to see if -- obviously there was a common</p> <p>14 thread, because they were subsequently charged with home</p> <p>15 invasion, but I don't recall when we did it. Just prior</p> <p>16 to the arresting or post arrest, I don't recall.</p> <p>17 Q. Were there supervisors interviewed concerning</p> <p>18 their activities?</p> <p>19 A. I don't know.</p> <p>20 Q. If a member of your command came to you with an</p> <p>21 allegation of corruption within the Chicago Police</p> <p>22 Department, what were you required to do?</p> <p>23 A. Obtain a CR number.</p> <p>24 Q. Has anyone ever approached you regarding</p>	<p style="text-align: right;">Page 33</p> <p>1 in to be drug-tested.</p> <p>2 There was someone potentially selling drugs out</p> <p>3 of her apartment. So, yes.</p> <p>4 And then as a commander, I would be informed</p> <p>5 that an officer had touched one of the investigations in</p> <p>6 some regard, and the CR number would be obtained on that</p> <p>7 officer.</p> <p>8 Q. Was there ever an instance where a Chicago</p> <p>9 police officer came to you about something that you</p> <p>10 weren't involved in an investigation, there wasn't an</p> <p>11 ongoing investigation where they simply just came to you</p> <p>12 to report illegal acts that they saw another officer do?</p> <p>13 A. I don't recall any of those, no.</p> <p>14 Q. Are there instances where breaches of</p> <p>15 confidentiality concerning IAD investigation could</p> <p>16 potentially be dangerous to the investigators who were</p> <p>17 working on a case?</p> <p>18 MR. KING: Just object to the form of the</p> <p>19 question.</p> <p>20 MR. SMITH: Q. Is it something you consider when</p> <p>21 working in IAD that people finding out, officers finding</p> <p>22 out that they're being investigated, could be a dangerous</p> <p>23 situation for the officers who are investigating them?</p> <p>24 A. Well, personally, I worked undercover in</p>

<p style="text-align: right;">Page 34</p> <p>1 Internal Affairs. I was working on police corruption 2 cases. And yeah, that would be an issue. 3 Q. What things are done to protect IAD officers 4 from being exposed when they're investigating other 5 officers? 6 A. Investigations are relatively closed. Only a 7 few people usually know. It's not widely discussed or 8 brought up. 9 Q. And is there anything said to assure that it 10 doesn't leave that circle of the people who are in the 11 know of the investigation? 12 A. I can only speak from personal experience. 13 When I was in Internal Affairs, my team knew 14 what I was doing, my supervisor, and that was pretty much 15 it. 16 I'm sure my supervisor informed her lieutenant, 17 the lieutenants, who would inform the Deputy 18 Superintendent. 19 Q. Beyond that, would you think people were free 20 to talk to other high-ranking members within the police 21 department? 22 A. Regarding... 23 Q. Regarding a confidential investigation? 24 A. No. It was confidential. It's implied by the</p>	<p style="text-align: right;">Page 36</p> <p>1 A. Absolutely get a CR number, and if it's 2 appropriate, make an arrest. 3 If an officer witnessed another officer 4 committing a criminal act, then that officer should take 5 immediate action, not just get a CR number. 6 Q. If a situation like that, a hypothetical 7 situation arose, where someone under you in Narcotics, 8 say a patrol officer, came to you and said, I saw another 9 officer dealing drugs, would the officer who came forward 10 with the complaint, would his identity be kept 11 confidential, or hers? 12 MR. KING: Just object to the form and lack of 13 foundation. It's a hypothetical. If you can answer. 14 THE WITNESS: In that specific situation, it 15 would be documented and reported up the chain of command. 16 MR. SMITH: Q. Would you expect that it be 17 confidential in terms of the identity of that 18 complainant? Would it be confidential within the 19 confines of the investigation in terms of, that you 20 wouldn't feel free to talk to other officers who weren't 21 in the loop or the circle of who would be involved in 22 getting the complaint and investigating the complaint 23 about who the identity of the person making a claim 24 against another officer?</p>
<p style="text-align: right;">Page 35</p> <p>1 name that it's confidential. It's not to be discussed, 2 unless it's for briefing purposes, yes. 3 I mean, in that case, high-ranking officers in 4 the department customarily are aware of confidential, 5 ongoing investigations. 6 Q. Did you ever learn that -- aside from the 7 media, when you read about the Watts investigation, did 8 you ever learn what type of case Spaulding and Echeverria 9 were working on with the FBI? 10 A. There was a police corruption case, and I 11 believe at some point I learned it had something to do 12 with housing, public housing. 13 Q. And who did you learn that from? 14 A. I don't remember. 15 Q. Do you know who else was present when you found 16 out about that? 17 A. I don't remember. 18 Q. You indicated that if another officer came to 19 you with corruption, that he saw corruption of a criminal 20 nature of another officer, you would start a CR 21 concerning that issue. 22 Would you agree that the general orders would 23 require that you, as a supervisor, would start a CR if 24 you were told of corruption of another officer?</p>	<p style="text-align: right;">Page 37</p> <p>1 A. In that situation, it would be documented. 2 The name of the complaining officer would be documented 3 and it would be forwarded to my deputy chief, then to the 4 chief, and then obviously to Internal Affairs. 5 Q. And would you expect that name be kept 6 confidential within the circle of the investigation until 7 the investigation was completed? 8 A. Probably, yes. 9 Q. And you wouldn't consider an officer who made 10 such an allegation against a fellow officer to be a rat? 11 You'd agree with that? 12 A. I would agree with that, considering I worked 13 Internal Affairs and I worked undercover in Internal 14 Affairs, and I arrested police officers. And I worked in 15 Legal Affairs. 16 I would not consider anyone coming forward with 17 that information to be any type of -- anything less than 18 a hero. 19 Q. And certainly you didn't consider yourself or 20 your fellow IAD officers to be rats? 21 A. No, we did not. 22 Q. And you never told Nick Roti that you didn't 23 want those two, referring to Shannon and Danny, IAD rats, 24 to be here, meaning in Narcotics, correct?</p>

<p style="text-align: right;">Page 38</p> <p>1 A. I never referred to them as rats in my capacity 2 at any time in my career. 3 I was asked at some point, did I want 4 Shannon Spaulding and Echeverria back in the Narcotics 5 Division, and my opinion was no. 6 Q. And who asked you that? 7 A. Chief Nick Roti. 8 Q. And who else was present when he asked you 9 that? 10 A. I don't remember. It might have been a phone 11 conversation. It might have been in person. I don't 12 remember. 13 Q. At that point in time, he was a supervisor 14 above you in rank, correct? 15 A. He was always above me in rank. 16 Q. And was he recommending that they be put in 17 Narcotics? 18 A. No. 19 Q. Or kept in Narcotics? 20 A. No. 21 Q. Were they technically assigned to narcotics at 22 that time, when you had that conversation? 23 A. At that point they were detailed out. They 24 were out of the unit.</p>	<p style="text-align: right;">Page 40</p> <p>1 conversation with Roti about Danny and Shannon not coming 2 back to Narcotics, do you know whether, on that CR, there 3 had been a finding on the CR? I believe we're talking 4 about the one regarding the dog, where you believe you 5 said where she stole the dog? 6 A. Essentially that's what I believe, yes. 7 Q. Had that CR come back with any type of finding 8 at the point you had conversation with Nick Roti? 9 A. Yes. It was sustained. 10 Q. Do you know if that CR being sustained was 11 upheld? 12 A. No. I didn't know. 13 Q. Were you aware that it was not upheld? 14 A. I learned subsequent later. Much later. 15 Q. And were you aware of what the recommended 16 punishment would have been in connection with the CR? 17 A. At the time I reviewed it, the punishment for 18 Shannon Spaulding was four days suspension. And I 19 believe for Echeverria, it was two. 20 I reviewed it carefully. I believe that the 21 punishment of four days was excessive. 22 I then recommended an alternate penalty that it 23 be reduced to two days for her, and then reducing it one 24 day for him.</p>
<p style="text-align: right;">Page 39</p> <p>1 Q. You would agree that in terms of when you say 2 they were detailed out, were they detailed in a manner 3 that they were still technically assigned to Narcotics, 4 or that they were fully transferred to a different unit? 5 A. They were assigned to the Narcotics Division, 6 but detailed to another unit. So, no longer under my 7 command. 8 Q. Did Nick Roti have any position or tell you his 9 position on whether they should be returned to Narcotics? 10 A. I believe he concurred. He asked me, do you 11 want them back. I said no. And essentially he agreed 12 based on what he knew of them and that CR number. 13 Q. Have you ever given, as part of a discipline in 14 connection with a CR, that somebody be transferred out of 15 a unit, or their assignment? 16 A. I don't recall specifically. 17 Sometimes on occasion I reduced the penalty if 18 I thought the penalty was unjust. Sometimes I would 19 concur. Sometimes I wouldn't concur with the 20 investigation, but I don't recall... 21 I did ask on occasion that officers be 22 transferred out or detailed out. I don't remember if it 23 was associated with a CR number. I don't believe so. 24 Q. Do you know at the time that you had the</p>	<p style="text-align: right;">Page 41</p> <p>1 Q. When you say essentially Shannon stole a dog, 2 are you aware of whose dog it was? 3 MR. KING: Object to the form. At the time 4 he's reviewing it or-- 5 MR. SMITH: Any time. 6 THE WITNESS: I believe that it was -- the best 7 that I -- I don't recall the specifics. It was quite a 8 while ago. 9 Specifically it was Shannon's daughter's dog 10 that they gave to a gentleman who adopted the dog. And 11 at some point, Shannon decided she wanted the dog back, 12 or daughter wanted the dog back, and they then engaged 13 and on-duty member to go to the residence to essentially 14 threaten the guy with arrest if he didn't return the dog 15 to them. 16 MR. SMITH: Q. And do you know who the officer was 17 that allegedly threatened arrest? 18 A. My memory was that it was Officer Spaulding, or 19 I believe it was Officer Spaulding who at least implied 20 that there could be an arrest if the dog was not 21 returned. 22 Q. Were you aware of the relationship between her 23 daughter and the other individual who had possession of 24 the dog?</p>

<p style="text-align: right;">Page 42</p> <p>1 A. I don't recall.</p> <p>2 Q. Did you know that they were -- well, okay.</p> <p>3 Did you ever find out why the suspension was</p> <p>4 not enforced?</p> <p>5 A. No.</p> <p>6 Q. Did you ever find out why the finding was</p> <p>7 reversed or vacated?</p> <p>8 A. No.</p> <p>9 Q. Did you ever talk with Nick Roti about the</p> <p>10 incident again?</p> <p>11 A. At some point I mentioned to Nick that that --</p> <p>12 it was one thing that Officer Spaulding had a problematic</p> <p>13 reputation with the unit for me to learn that -- that CR</p> <p>14 number really cemented the fact that I didn't want her</p> <p>15 under my supervision.</p> <p>16 Q. Was there any discussion or consideration of</p> <p>17 having Danny come back to the unit without Shannon?</p> <p>18 A. No. My impression was that they had come</p> <p>19 together. I would have taken Officer Echeverria. Had he</p> <p>20 contacted me, I would have taken Echeverria back.</p> <p>21 Q. Did you in any way make that known to</p> <p>22 Echeverria?</p> <p>23 A. I've never spoken to Echeverria. He never</p> <p>24 contacted me.</p>	<p style="text-align: right;">Page 44</p> <p>1 They were in 189. I was a supervisor, but I</p> <p>2 was in DEA at that time, so I never met them.</p> <p>3 Q. So you weren't directly supervising them at</p> <p>4 that time?</p> <p>5 A. I never did, no.</p> <p>6 Q. Did you review any of their internal reviews of</p> <p>7 their performance before making a decision to recommend</p> <p>8 they not be brought back to Unit 189?</p> <p>9 A. No.</p> <p>10 Q. When you reviewed the CR concerning the dog,</p> <p>11 did you review their performance evaluations at that</p> <p>12 time?</p> <p>13 A. No.</p> <p>14 Q. Have you ever reviewed any of their performance</p> <p>15 evaluations, Danny's or Shannon's?</p> <p>16 A. Yes.</p> <p>17 Q. And when was that?</p> <p>18 A. At some point subsequent to the filing of this</p> <p>19 litigation, I found old evaluations in a file, a number</p> <p>20 of them. And I was going through them, and I did in fact</p> <p>21 find one for Shannon, from Lieutenant Navarro. The</p> <p>22 direct supervisor was Sergeant Johnson.</p> <p>23 And there was one in there for Shannon, I</p> <p>24 believe, for Officer Spaulding as well as Echeverria.</p>
<p style="text-align: right;">Page 43</p> <p>1 Q. Did you make that known to Chief Roti?</p> <p>2 A. I don't recall if I said specifically that to</p> <p>3 him or not.</p> <p>4 Q. Were you aware that Spaulding and Echeverria</p> <p>5 wanted to return to their unit assignment in 189?</p> <p>6 A. No. They never spoke to me, either one of</p> <p>7 them.</p> <p>8 Q. Did Nick Roti in any way indicate to you that</p> <p>9 they wanted to come back?</p> <p>10 A. There was an inference there. He just asked</p> <p>11 me, do you want them back in the unit and my opinion was</p> <p>12 no. It was as simple as that.</p> <p>13 Q. Did you ever consider the work that Danny and</p> <p>14 Shannon were doing with the FBI as a factor in deciding</p> <p>15 whether or not to bring them back to the Narcotics Unit,</p> <p>16 189?</p> <p>17 A. No. It didn't really play a role.</p> <p>18 Q. Did you make any recommendation as to what</p> <p>19 should be done with Danny and Shannon?</p> <p>20 A. No. It was beyond my authority.</p> <p>21 Q. At any point in time, were Danny or Shannon</p> <p>22 actually active as members within Unit 189 when you were</p> <p>23 a supervisor in Narcotics?</p> <p>24 A. No. Well, I take that back.</p>	<p style="text-align: right;">Page 45</p> <p>1 Q. And when would that have been?</p> <p>2 A. May 2012, maybe.</p> <p>3 Q. And why did you do that?</p> <p>4 A. Because of this litigation, I knew there had to</p> <p>5 be some type of paper trail regarding their old</p> <p>6 evaluations, and I wanted to see if I could find them.</p> <p>7 Q. And other than that evaluation, did you find</p> <p>8 any evaluations regarding Danny or Shannon?</p> <p>9 A. Those were the only ones I found.</p> <p>10 Q. Were either of those evaluations good</p> <p>11 evaluations?</p> <p>12 A. His was okay. He was decent. Hers was</p> <p>13 terrible. She was toxic.</p> <p>14 Q. Do you know how long Shannon Spaulding worked</p> <p>15 for -- well, who was the evaluator again?</p> <p>16 A. Sergeant Johnson was the direct supervisor and</p> <p>17 Lieutenant Kevin Navarro would have been the lieutenant.</p> <p>18 Q. Do you know how long Shannon worked with</p> <p>19 Sergeant Johnson?</p> <p>20 A. No.</p> <p>21 Q. Do you have any idea what instances</p> <p>22 Sergeant Johnson saw Shannon perform in or do that led to</p> <p>23 any negative evaluation?</p> <p>24 A. No.</p>

<p style="text-align: right;">Page 46</p> <p>1 Q. Did you ever talk with Sergeant Johnson about 2 that?</p> <p>3 A. No.</p> <p>4 Q. And when you were doing a search, did you come 5 across anything else that reflected negatively on Shannon 6 or Danny?</p> <p>7 A. No.</p> <p>8 Q. Did you search for the CR that you knew about, 9 the dog incident?</p> <p>10 When you did that search, looking for 11 evaluations, did you also search for records about the CR 12 involving the dog and Shannon?</p> <p>13 A. The only record that made available to me was 14 that CR number which was in my cue, we call it, online. 15 Once I hit "submit," it was out of -- there was no paper 16 trail then.</p> <p>17 Q. So, that wasn't something that you had access 18 to at that point in time?</p> <p>19 A. No.</p> <p>20 Q. Did you come across any other papers that 21 involved Danny or Shannon at all?</p> <p>22 A. No.</p> <p>23 Q. Did you ever talk with other supervisors who 24 Shannon or Danny worked with?</p>	<p style="text-align: right;">Page 48</p> <p>1 to him.</p> <p>2 Q. Did you say anything in response to that?</p> <p>3 A. I think he just agreed that was kind of odd.</p> <p>4 Q. Did you think it was odd?</p> <p>5 A. Yes.</p> <p>6 Q. Why would you think that was odd?</p> <p>7 A. Her characterization in the media that she was 8 working undercover on a corrupt police officer who knew 9 her, I thought that was kind of -- usually you don't -- 10 you can't go undercover and conduct operations on someone 11 who knows you, knows that you're a police officer. 12 You're not really undercover.</p> <p>13 Q. Would you agree that if somebody didn't know 14 you were investigating them, that would be a form of 15 being undercover?</p> <p>16 A. My interpretation of undercover is someone 17 doesn't know your identity, and you're conducting some 18 type of surveillance, or narcotics transaction, or some 19 type of an elicit activity. That to me is working 20 undercover.</p> <p>21 Q. And were you aware of the timeframe that 22 Shannon Spaulding worked with Sergeant Watts at Public 23 Housing South?</p> <p>24 A. No.</p>
<p style="text-align: right;">Page 47</p> <p>1 A. I did speak to Sergeant Rod Watson.</p> <p>2 Q. And who's Rod Watson?</p> <p>3 A. He's a Narcotics Division sergeant.</p> <p>4 Q. And when did you speak to him?</p> <p>5 A. Sometime after the litigation was filed, I had 6 a discussion with him.</p> <p>7 Q. And who else was present for the discussion?</p> <p>8 A. I don't recall. I believe it was in the 9 hallway of the Narcotics Division.</p> <p>10 Q. And did you approach him or did he approach 11 you?</p> <p>12 A. I don't remember.</p> <p>13 Q. And what was the discussion about?</p> <p>14 A. Just about the allegations that she had made in 15 the media, about this case specifically. About her being 16 somehow damaged by her having worked in Internal Affairs.</p> <p>17 Q. And what did he say?</p> <p>18 A. He just thought it was ironic. My memory is, 19 he thought it was ironic that she's stating that she was 20 working undercover, when apparently his memory of it was 21 that Sergeant Watts knew her. They worked together in 22 the same building.</p> <p>23 So, for her to say she was undercover working 24 on Sergeant Watts when he knew her didn't make any sense</p>	<p style="text-align: right;">Page 49</p> <p>1 Q. Were you where it was years before the 2 investigation?</p> <p>3 A. I don't have any details of it.</p> <p>4 Q. Were you aware that Sergeant Watts had been 5 under investigation even before Shannon Spaulding and 6 Danny Echeverria started to work on the investigation?</p> <p>7 A. I have no information whatsoever on 8 Sergeant Watts.</p> <p>9 Q. Do you know who Officer Shar Khalid is?</p> <p>10 A. Yes.</p> <p>11 Q. And was Shar Khalid an individual who was 12 involved or accused of a domestic battery?</p> <p>13 A. Yes.</p> <p>14 Q. And do you know if he was convicted?</p> <p>15 A. Criminally?</p> <p>16 Q. Criminally.</p> <p>17 A. I don't believe he was. Not to my knowledge.</p> <p>18 Q. Do you know if there was a CR against him 19 related to the domestic battery charges?</p> <p>20 A. Yes.</p> <p>21 Q. And was there a finding regarding that CR?</p> <p>22 A. I don't remember.</p> <p>23 Q. Do you know if he was stripped, at some point 24 in time, of his badge or his gun during the course of the</p>

<p style="text-align: right;">Page 50</p> <p>1 investigation?</p> <p>2 A. I believe so. He was, yes.</p> <p>3 Q. Did you allow Shar Khalid to continue, remain</p> <p>4 working in Narcotics, even after he was stripped in</p> <p>5 relation to that domestic battery CR?</p> <p>6 A. I had no authority to determine where he was</p> <p>7 assigned. He was assigned there.</p> <p>8 Q. But did you allow them to continue to work with</p> <p>9 you there?</p> <p>10 A. Yes.</p> <p>11 Q. Did you ask that he be transferred out of</p> <p>12 Narcotics?</p> <p>13 A. No.</p> <p>14 Q. Did you think that the incident with Shannon</p> <p>15 and the dog was more serious than the domestic battery</p> <p>16 charge?</p> <p>17 A. Well, first of all, at that point the</p> <p>18 allegation against Shar Khalid had not been resolved.</p> <p>19 I didn't know whether it was sustained or not sustained.</p> <p>20 Secondly, Shannon was already away from my</p> <p>21 unit. She wasn't in my unit and got the CR number. She</p> <p>22 was out of my unit when she got the CR number.</p> <p>23 So she was not under my control. It's apples</p> <p>24 to oranges.</p>	<p style="text-align: right;">Page 52</p> <p>1 open, so I didn't make a determination one way or the</p> <p>2 other yet.</p> <p>3 Q. Do you know a Sergeant Avery?</p> <p>4 A. Yes.</p> <p>5 Q. What is Sergeant Avery's first name, if you</p> <p>6 know?</p> <p>7 A. Vincent.</p> <p>8 Q. Do you know an Officer Tony Hernandez?</p> <p>9 A. Yes.</p> <p>10 Q. Did you ever learn that Shar Khalid was</p> <p>11 bragging about punching his wife in the face in front of</p> <p>12 Sergeant Avery and Officer Hernandez?</p> <p>13 A. I did not know that.</p> <p>14 Q. Do you know Officer Hernandez, Tony Hernandez?</p> <p>15 A. Yes.</p> <p>16 Q. Did you ever ask Officer Tony Hernandez to</p> <p>17 allow Khalid to work in his position so that Khalid could</p> <p>18 remain in days and keep weekends off?</p> <p>19 A. No.</p> <p>20 Q. How do you know Tony Hernandez?</p> <p>21 A. Tony Hernandez was an officer that was assigned</p> <p>22 to the Narcotics Division during my tenure there as</p> <p>23 commander.</p> <p>24 Q. And were you aware that Tony Hernandez was an</p>
<p style="text-align: right;">Page 51</p> <p>1 Q. Did you ever come to have an opinion of whether</p> <p>2 the charges against Shar Khalid were -- let me re-ask the</p> <p>3 question.</p> <p>4 Did you ever have any opinions about the</p> <p>5 seriousness of the charges against Shar Khalid?</p> <p>6 A. I have an opinion. I didn't believe, based on</p> <p>7 what I knew -- and obviously I was only hearing his side</p> <p>8 of it.</p> <p>9 But I knew that him and his wife were still</p> <p>10 together, and they have a daughter together, and she was</p> <p>11 supporting him. So, I didn't think there was any</p> <p>12 substance to it.</p> <p>13 My memory of it, which is not very good, was</p> <p>14 that she was not the complainant against him. It was</p> <p>15 some other individuals that he had arrested or had an</p> <p>16 altercation with. They were the accusers against him.</p> <p>17 Q. If somebody would have asked you whether you</p> <p>18 thought Shar Khalid should remain in the Narcotics Unit,</p> <p>19 would you have had an opinion one way or the other?</p> <p>20 A. Yes, I have an opinion.</p> <p>21 Q. What's the opinion?</p> <p>22 A. I thought he was a good officer. He worked</p> <p>23 well with his team members. He was very well-liked.</p> <p>24 And to my knowledge, that CR number is still</p>	<p style="text-align: right;">Page 53</p> <p>1 officer was assigned to a guard shack at one point in</p> <p>2 time?</p> <p>3 A. He was assigned to the 24 hour -- the security</p> <p>4 detail at Homan Square. If you want to characterize it</p> <p>5 as a guard shack, that's not really accurate.</p> <p>6 Q. I mean, is that a phrase you would use, "guard</p> <p>7 shack," in relation to his position?</p> <p>8 A. He was assigned that number of positions within</p> <p>9 Homan Square for the 24-hour security detail.</p> <p>10 Q. And what positions would they have been?</p> <p>11 A. Fillmore side security detail. There was the</p> <p>12 Spaulding Street detail, and then the 24-hour desk.</p> <p>13 Q. And was he under your command at that time?</p> <p>14 A. Yes.</p> <p>15 Q. Are you familiar with a Sergeant Padar?</p> <p>16 A. Yes.</p> <p>17 Q. How are you familiar with Sergeant Padar?</p> <p>18 A. Sergeant Padar was one of the sergeants</p> <p>19 assigned to the Narcotics Division during my tenure as</p> <p>20 commander.</p> <p>21 Q. And how long have you known Sergeant Padar?</p> <p>22 A. From '08 until present.</p> <p>23 Q. And did you become aware that Sergeant Padar</p> <p>24 was being criminally investigated at some point?</p>

<p style="text-align: right;">Page 54</p> <p>1 A. Yes.</p> <p>2 Q. And when did you become aware that</p> <p>3 Sergeant Padar was being criminally investigated for?</p> <p>4 A. Sometime in 2014, I believe.</p> <p>5 Q. What did you find out that he was being</p> <p>6 criminally investigated for?</p> <p>7 A. Some issue on testifying at a criminal</p> <p>8 proceeding. I was already gone from the Chicago Police</p> <p>9 Department at that point.</p> <p>10 Q. Were you ever made aware that there was CR</p> <p>11 against Sergeant Padar relating to falsifying records in</p> <p>12 connection with Tony Hernandez?</p> <p>13 A. Yes.</p> <p>14 Q. When did you become aware of that?</p> <p>15 A. During my tenure as commander.</p> <p>16 Q. And after you found out about that CR, you</p> <p>17 continued to allow Padar to work with you, underneath</p> <p>18 you, in your command?</p> <p>19 A. Yes.</p> <p>20 Q. Were you aware of any allegations made against</p> <p>21 a Sergeant Mel Roman while you were working as a</p> <p>22 commander in Narcotics?</p> <p>23 A. No.</p> <p>24 Q. Do you know who a Tracy walker is?</p>	<p style="text-align: right;">Page 56</p> <p>1 some of the time period in which Lewellyn was</p> <p>2 investigated and charged? Were you aware of that?</p> <p>3 A. I don't believe that he was his partner.</p> <p>4 Q. In terms of on the team.</p> <p>5 A. I believe he was on the same team, yes.</p> <p>6 Q. Do you know who a Sergeant Herrera is?</p> <p>7 A. Yes.</p> <p>8 Q. Was he a sergeant who came to be assigned to</p> <p>9 Narcotics?</p> <p>10 A. Yes. He was from Internal Affairs.</p> <p>11 Q. Did you ever talk with Chief Juan Rivera about</p> <p>12 a Sergeant Herrera?</p> <p>13 A. Yes.</p> <p>14 Q. What circumstances did you talk with</p> <p>15 Chief Rivera about Sergeant Herrera?</p> <p>16 A. I don't recall when, but Chief Rivera asked me</p> <p>17 if Sergeant Herrera could be assigned to the Narcotics</p> <p>18 Division, and I was happy to have him.</p> <p>19 Q. And do you know what the circumstances of that</p> <p>20 situation was, why Rivera came to you?</p> <p>21 A. First, I don't believe he came to me. I think</p> <p>22 it was a phone call.</p> <p>23 My memory is that Sergeant Herrera wanted to</p> <p>24 return to Narcotics because that was first love and he</p>
<p style="text-align: right;">Page 55</p> <p>1 A. I know who she is. I'm not really clear I</p> <p>2 remember hearing the name. I don't know her.</p> <p>3 Q. If I told you she might be an officer in</p> <p>4 Narcotics, would that ring any bells?</p> <p>5 A. I don't believe she's in Narcotics. Not to my</p> <p>6 memory.</p> <p>7 Q. Were you aware that she made allegations that</p> <p>8 she was being sexually harassed by a Sergeant Mel Roman?</p> <p>9 A. No.</p> <p>10 Q. Did you have any role in promoting a</p> <p>11 Lieutenant Noel Sanchez?</p> <p>12 A. Yes.</p> <p>13 Q. Were you aware if he was ever a subject of a</p> <p>14 Federal criminal investigation?</p> <p>15 A. I'm not sure of the details. I remember that</p> <p>16 he was -- somehow he worked with an officer that was</p> <p>17 under investigation. I'm not sure if Noel himself was</p> <p>18 the subject of an investigation or not.</p> <p>19 Q. And that person was Officer Glen Lewellyn</p> <p>20 (phonetic spelling)?</p> <p>21 A. Yes.</p> <p>22 Q. Who is serving 18 years in a Federal prison?</p> <p>23 A. Yes.</p> <p>24 Q. And was a partner on the team with Lewellyn for</p>	<p style="text-align: right;">Page 57</p> <p>1 had a passion for it.</p> <p>2 And he had served with distinction in Internal</p> <p>3 Affairs, and wanted to come back to the Narcotics</p> <p>4 Division.</p> <p>5 Q. Did you have a pending CR at the time you had</p> <p>6 that conversation with Juan Rivera?</p> <p>7 A. Did I have a pending CR?</p> <p>8 Q. Correct.</p> <p>9 A. I don't remember if I did or not.</p> <p>10 Q. You've had CRs, correct?</p> <p>11 A. Yes.</p> <p>12 Q. How many CRs have you had, approximately?</p> <p>13 A. In my career?</p> <p>14 Q. Yes.</p> <p>15 A. I don't know. I couldn't even tell you.</p> <p>16 Q. Is it more 10?</p> <p>17 A. Yes.</p> <p>18 Q. Is it more than 20?</p> <p>19 A. Probably.</p> <p>20 Q. Is it more than 30?</p> <p>21 A. I'm not sure.</p> <p>22 Q. Is it less than 50?</p> <p>23 A. Probably.</p> <p>24 Q. Have you ever had any CRs sustained against</p>

<p style="text-align: right;">Page 58</p> <p>1 you?</p> <p>2 A. No.</p> <p>3 Q. Have you ever been suspended or disciplined in</p> <p>4 any way as a Chicago police officer?</p> <p>5 A. I think I might have taken a day suspension for</p> <p>6 not having a City sticker on my new wife's car, my wife's</p> <p>7 car.</p> <p>8 We had just gotten married, and I drove her car</p> <p>9 to work, not thinking, and she didn't have a City</p> <p>10 sticker.</p> <p>11 Q. Do you know how many CRs Shannon Spaulding has</p> <p>12 against her?</p> <p>13 A. No.</p> <p>14 Q. Do you know if it's more than 10?</p> <p>15 A. I have no idea.</p> <p>16 Q. Did you ever investigate any complaint made by</p> <p>17 any of your command staff in Narcotics against either</p> <p>18 Shannon Spaulding or Danny Echeverria?</p> <p>19 A. No.</p> <p>20 Q. And I believe you mentioned that you learned of</p> <p>21 a...</p> <p>22 (Brief pause.)</p> <p>23 Did Chief Rivera ever release to you any</p> <p>24 confidential information regarding any investigations</p>	<p style="text-align: right;">Page 60</p> <p>1 career.</p> <p>2 Q. Did you ever become aware that Shannon and</p> <p>3 Danny Echeverria never were assigned to IAD?</p> <p>4 A. No. I have no idea.</p> <p>5 Q. Did anyone ever tell you they were assigned to</p> <p>6 IAD, Internal Affairs Division?</p> <p>7 A. I was under the impression they were assigned</p> <p>8 or detailed there.</p> <p>9 Q. Who told you they were detailed there?</p> <p>10 A. I don't recall. Probably Chief Roti.</p> <p>11 Q. Were you aware of any situations where officers</p> <p>12 had gone to the FBI and reported police corruption</p> <p>13 outside of the chain of command?</p> <p>14 A. I don't personally recall that, no.</p> <p>15 Q. Were you aware of any situations where officers</p> <p>16 within the Chicago Police Department decided to go to the</p> <p>17 FBI when supervisors were not investigating reported</p> <p>18 corruption?</p> <p>19 A. In my experience, anytime police corruption has</p> <p>20 been reported to a supervisor, they have taken</p> <p>21 appropriate action. That's my understanding and</p> <p>22 recollection.</p> <p>23 Q. How would you be able to know that?</p> <p>24 A. It's my impression and recollection that any</p>
<p style="text-align: right;">Page 59</p> <p>1 regarding Chicago police officers?</p> <p>2 A. No.</p> <p>3 Q. Do you believe that you became aware that</p> <p>4 Spaulding and Echeverria were involved in a confidential</p> <p>5 investigation involving police corruption?</p> <p>6 A. Can you repeat the question, please?</p> <p>7 Q. Do you believe, before the lawsuit, that you</p> <p>8 were aware that Spaulding and Echeverria were involved in</p> <p>9 a confidential investigation involving police corruption?</p> <p>10 A. Yes.</p> <p>11 Q. Did you think it could be a problem to have an</p> <p>12 officer in Narcotics who was involved in investigating</p> <p>13 undercover corruption?</p> <p>14 A. Well, considering I worked in Internal Affairs</p> <p>15 working corruption cases. Sergeant Herrera worked in</p> <p>16 Internal Affairs on corruption cases.</p> <p>17 Sergeant Noel Sanchez, who then I assisted in promoting</p> <p>18 to lieutenant, worked in Internal Affairs on police</p> <p>19 corruption cases.</p> <p>20 Lieutenant Karen Kono, who ran the</p> <p>21 investigations on police officers, I requested her</p> <p>22 specifically to work for me.</p> <p>23 So I would say I had no problem with anyone</p> <p>24 having worked in Internal Affairs at anytime in their</p>	<p style="text-align: right;">Page 61</p> <p>1 cases that came to me, I forwarded, and cases that came</p> <p>2 to my similar-ranking officers did the same.</p> <p>3 Q. Would you expect an officer who was assigned to</p> <p>4 you to report corruption directly to you rather than go</p> <p>5 to an outside agency?</p> <p>6 A. I always expect officers who work for me to</p> <p>7 follow the chain of command, yes. They should be</p> <p>8 reported to the supervisor.</p> <p>9 Q. If an officer who saw drug dealing or extortion</p> <p>10 being committed by a fellow Chicago police officer did</p> <p>11 not go to their supervisors, would you think that was a</p> <p>12 problem?</p> <p>13 A. Yes.</p> <p>14 Q. If they chose to go to an outside agency</p> <p>15 instead of a supervisor, would that be a problem?</p> <p>16 MR. KING: Just object to form and the word</p> <p>17 "problem," but you can answer.</p> <p>18 THE WITNESS: They should follow the directives</p> <p>19 of the Chicago Police Department and notify the chain of</p> <p>20 command -- obtain a CR number and notify the chain of</p> <p>21 command so they can protect the department and other</p> <p>22 officers.</p> <p>23 MR. SMITH: Q. Why would you feel that going to an</p> <p>24 outside agency would somehow jeopardize the department or</p>

<p style="text-align: right;">Page 62</p> <p>1 other officers?</p> <p>2 A. If you have a corrupt police officer actively</p> <p>3 involved in narcotics or gang involvement, then not only</p> <p>4 are you placing the general public at risk, because</p> <p>5 obviously an officer has access to information and arrest</p> <p>6 powers, you're exposing other officers, the officers that</p> <p>7 work with them on a daily basis -- officers that are</p> <p>8 encountering them. You're placing everyone in jeopardy.</p> <p>9 Q. Would it surprise you that Officer Watts was</p> <p>10 engaged in narcotics distribution and sales for over 10</p> <p>11 years while he was a Chicago police officer, without the</p> <p>12 Chicago Police doing anything to discipline or take him</p> <p>13 off the force?</p> <p>14 MR. KING: Object to the form, and lack of</p> <p>15 foundation.</p> <p>16 THE WITNESS: I don't know Sergeant Watts.</p> <p>17 MR. SMITH: Q. Did you ever receive a confidential</p> <p>18 informant packet from a Sergeant Padar?</p> <p>19 A. Yes.</p> <p>20 Q. Did you ever receive a confidential information</p> <p>21 packet that included Shannon Spaulding and</p> <p>22 Danny Echeverria's name on it?</p> <p>23 A. Yes.</p> <p>24 Q. Did you have a conversation with Sergeant Padar</p>	<p style="text-align: right;">Page 64</p> <p>1 them stay within the Narcotics Division?</p> <p>2 A. This was before I had that conversation with</p> <p>3 Roti, to the best of my memory.</p> <p>4 Q. So weren't they technically still within the</p> <p>5 Narcotics Division at that point in time?</p> <p>6 A. I don't believe they were.</p> <p>7 Q. What did you believe they were doing?</p> <p>8 A. I believe they were detailed out of the unit,</p> <p>9 out of Organized Crime. They weren't working in</p> <p>10 Organized Crime.</p> <p>11 Q. And what did you believe they were doing?</p> <p>12 A. I had no idea what they were doing.</p> <p>13 Q. And so what made you believe that they couldn't</p> <p>14 work with confidential informants?</p> <p>15 A. I don't care if they worked with confidential</p> <p>16 informants.</p> <p>17 Q. So what exactly was the problem that you had</p> <p>18 with Danny and Shannon seeking a confidential informant</p> <p>19 approval, request for approval for a confidential</p> <p>20 informant?</p> <p>21 A. No problem at all. However--</p> <p>22 Q. I would ask that counsel not gesture to the</p> <p>23 witness to make further statements.</p> <p>24 Did you ever direct Sergeant Padar to inform</p>
<p style="text-align: right;">Page 63</p> <p>1 regarding their request -- and by their, I mean Danny and</p> <p>2 Shannon's request for approval for a CI?</p> <p>3 A. Yes.</p> <p>4 Q. What did that conversation entail?</p> <p>5 A. First of all, I informed Sergeant Padar that</p> <p>6 Officer Shannon Spaulding and Danny Echeverria were not</p> <p>7 working in the Organized Crime Division. Therefore, they</p> <p>8 should not be signing up informants.</p> <p>9 Secondly, I looked at the documents. And</p> <p>10 Officer Hernandez, who was in fact assigned to the</p> <p>11 Narcotics Division, wasn't on there, at least one of</p> <p>12 documents that I reviewed.</p> <p>13 Q. What do you mean by that in terms of, he wasn't</p> <p>14 on? Or--</p> <p>15 A. His name was not included on one of the pages</p> <p>16 of the CI, the package.</p> <p>17 Q. Why would that be a problem or an issue?</p> <p>18 A. Because they don't work for me.</p> <p>19 Shannon Spaulding and Danny Echeverria were not working</p> <p>20 in the Organized Crime Division. They're not authorized</p> <p>21 to sign up informants in the Organized Crime Division if</p> <p>22 they're not working in the Organized Crime Division.</p> <p>23 Q. And when was that? Was that before or after</p> <p>24 your conversation with Deputy Chief Roti about having</p>	<p style="text-align: right;">Page 65</p> <p>1 Spaulding and Echeverria what you thought of their</p> <p>2 request for approval of a CI?</p> <p>3 A. I told Sergeant Padar that if his team wanted</p> <p>4 to work with Shannon Spaulding and Danny Echeverria, I</p> <p>5 did not have a problem with it, but their supervisors</p> <p>6 needed to contact me, because apparently no one knew what</p> <p>7 she was doing.</p> <p>8 Q. And did Sergeant Padar say anything in response</p> <p>9 to that?</p> <p>10 A. He said okay.</p> <p>11 Q. Did you approve the request for a CI?</p> <p>12 A. I couldn't. They don't work for me.</p> <p>13 Q. Do you know if anyone did approve the request</p> <p>14 for a CI?</p> <p>15 A. To clarify, anyone can work with informants,</p> <p>16 Internal Affairs.</p> <p>17 However, to assign an informant up with the</p> <p>18 Organized Crime Division, you have to work in the</p> <p>19 Organized Crime Division. They were not working in the</p> <p>20 Organized Crime Division, Echeverria or Spaulding.</p> <p>21 Neither one of them was working in the Organized Crime</p> <p>22 Division. Therefore, they could not sign up an informant</p> <p>23 in the Organized Crime Division.</p> <p>24 They're more than free to sign up an informant</p>

<p style="text-align: right;">Page 66</p> <p>1 with any other -- Detective Division, Internal Affairs, 2 whatever. 3 When I was in Internal Affairs, I was not 4 allowed to sign up informants in the Organized Crime 5 Division because I was not working in the Organized Crime 6 Division. 7 Q. Do you know if that particular confidential 8 informant was approved to work with any other unit or 9 division? 10 A. I have no idea. 11 Q. Would Sergeant Padar... 12 (Brief pause.) 13 Did you ever instruct supervisors or officers 14 within Narcotics not to work with Spaulding and 15 Echeverria? 16 A. Honestly, just the opposite. 17 I told Sergeant Padar I had no problem with him 18 working with Spaulding and Echeverria, if it was 19 assisting in their investigation, if their supervisors 20 knew what they were doing and would contact me. 21 Q. Did you have any conversations with anyone 22 other than Sergeant Padar within Narcotics as to 23 Spaulding and Echeverria? 24 A. No.</p>	<p style="text-align: right;">Page 68</p> <p>1 called for help, that the members of Unit 189 would not 2 be there to back them up? 3 A. I doubt very highly that ever happened. I have 4 no knowledge of that whatsoever. 5 Q. If you had become aware of a statement like 6 this being made, what actions would you have taken? 7 A. I probably have initiated a CR number on the 8 supervisor who made that statement. It's totally 9 inappropriate. 10 Q. Did you ever issue an order, either verbal or 11 written, that Spaulding was not allowed in the Homan 12 Square building? 13 A. No. 14 Q. Do you know whether or not Spaulding had a 15 locker in the Homan Square building? 16 A. I don't know. 17 Q. Did you ever call Lieutenant Cesario and tell 18 him that Spaulding was not allowed in Homan Square? 19 A. I don't believe I did, no. 20 Q. Did you ever tell any member of the Fugitive 21 Apprehension Unit that Spaulding was not allowed in the 22 Homan Square building? 23 A. I never said that. 24 Q. Did you ever tell Lieutenant Cesario that</p>
<p style="text-align: right;">Page 67</p> <p>1 Q. So in your view, who would have been Shannon 2 and Danny's chain of command supervisors who could 3 approve a confidential informant working with a unit at 4 that time? 5 A. Whatever unit they were working under. 6 At that point, Shannon Spaulding and 7 Danny Echeverria had a chain of command. They had some 8 type of supervision. 9 They should have gone through that proper chain 10 to work with that informant. 11 Q. Did you know who that was? 12 A. No. They never called me. 13 Q. Did anyone ever tell you who that was? 14 A. No. 15 Q. Did anyone ever tell you that they weren't 16 under your chain of command? 17 A. I knew they weren't under my chain of command. 18 Q. When somebody is loaned out from a unit to 19 another detail, whose chain of command is that under? 20 A. They'd follow the chain of command of the 21 person they're detailed to, or the unit they're detailed 22 to. 23 Q. Were you aware of any of the supervisors in 24 your unit telling Spaulding and Echeverria that if they</p>	<p style="text-align: right;">Page 69</p> <p>1 Shannon Spaulding should not go to any part of the Homan 2 Square building? 3 A. I never said that. 4 Q. Did you ever give any directive to anyone 5 relating to that Shannon Spaulding be allowed to -- let 6 me re-ask the question. 7 Did you ever tell anyone that Shannon Spaulding 8 should not be or should be restricted from going to any 9 part of Homan Square? 10 A. I did contact Commander Salemi and asked him if 11 Shannon Spaulding was at Homan Square on a specific date, 12 if she was working and if she was doing some type of 13 police work. He said no, on this specific date. 14 I said, well, she's over here goofing off, 15 visiting her boyfriend, are you aware of it. He said no, 16 and that he would handle it. 17 Q. Did you ever indicate to Commander Salemi that 18 Spaulding shouldn't be visiting her boyfriend at Homan 19 Square? 20 A. I did tell him unless she was there for a 21 proper police purpose, she shouldn't be in a restricted 22 area. 23 Q. Did you tell him that she should not be at the 24 restricted area of Homan Square?</p>

<p style="text-align: right;">Page 70</p> <p>1 A. Yes. She should not be at the restricted area.</p> <p>2 Q. And did you any way limit this -- strike that.</p> <p>3 What's the address of Homan Square?</p> <p>4 A. 3340 West Fillmore.</p> <p>5 Q. Is this in any way a restricted access</p> <p>6 building?</p> <p>7 A. Yes.</p> <p>8 Q. How so?</p> <p>9 A. The general public can't walk into the</p> <p>10 building, and only officers allowed in the Organized</p> <p>11 Crime or for a proper police purpose are allowed on the</p> <p>12 2nd floor.</p> <p>13 And the east parking lot is restricted to</p> <p>14 undercover officers and supervisors only.</p> <p>15 Q. And is there an identification system in place</p> <p>16 to determine what officers are allowed to go into the</p> <p>17 Home Square building?</p> <p>18 A. The general building, any police officer can go</p> <p>19 into it. However, the 2nd floor is where the Narcotics</p> <p>20 Division and the Gang Intelligence Unit are located.</p> <p>21 That's restricted by keypad on -- that would be the south</p> <p>22 side of the building and then on the 24-hour desk.</p> <p>23 There's an officer assigned there to challenge</p> <p>24 anyone that comes up to the 2nd floor.</p>	<p style="text-align: right;">Page 72</p> <p>1 Q. How would the word get out that officers</p> <p>2 weren't supposed to go to the east parking lot?</p> <p>3 A. They would be challenged.</p> <p>4 If someone tried to walk in -- the license</p> <p>5 plates of authorized vehicles are encoded into the</p> <p>6 system. Where an undercover officer that is assigned to</p> <p>7 Narcotics or Gang Intelligence would pull up, it would</p> <p>8 read the plate and let them in.</p> <p>9 Q. Did you ever see Shannon Spaulding inside the</p> <p>10 east parking lot?</p> <p>11 A. No.</p> <p>12 Q. Did you ever see Shannon Spaulding internally</p> <p>13 at Homan Square?</p> <p>14 A. I've never seen her. I've never met her.</p> <p>15 Q. How was it that you came to know that she was</p> <p>16 at Homan Square?</p> <p>17 A. Somebody informed me, I don't recall who, that</p> <p>18 Officer Hernandez had left his assigned post and was</p> <p>19 visiting his girlfriend, Shannon Spaulding, in the area</p> <p>20 where she was not supposed to be.</p> <p>21 Q. And you don't remember who that was?</p> <p>22 A. No.</p> <p>23 Q. Did you ask Tony Hernandez if that was true?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">Page 71</p> <p>1 Q. Do you know if Shannon Spaulding had access to</p> <p>2 that 2nd floor?</p> <p>3 A. She shouldn't have, but I don't know if she</p> <p>4 did.</p> <p>5 Q. Do you know if she was allowed to be in the</p> <p>6 building generally?</p> <p>7 A. Sure.</p> <p>8 Q. And was there any restriction that would have</p> <p>9 been placed on her that -- was there any area, other than</p> <p>10 the 2nd floor, she would much restricted from going to?</p> <p>11 A. She should not have been in the east parking</p> <p>12 lot.</p> <p>13 Q. And was there any written directive relating to</p> <p>14 officers not being allowed in the east parking lot?</p> <p>15 A. I'm not sure if it's in writing somewhere.</p> <p>16 It's the policy of -- the Deputy Chief of Organized Crime</p> <p>17 is in charge. He's basically the landlord of the</p> <p>18 building.</p> <p>19 And it was the policy not allow anyone other</p> <p>20 than authorized officers, undercover officers, to go in</p> <p>21 that east parking lot.</p> <p>22 There was a guardrail, and there's an officer</p> <p>23 assigned there always to verify the identify of anyone</p> <p>24 who came through.</p>	<p style="text-align: right;">Page 73</p> <p>1 Q. And what did Mr. Hernandez say,</p> <p>2 Officer Hernandez say?</p> <p>3 A. She was his girlfriend and she was dropping</p> <p>4 something off to him.</p> <p>5 Q. Did he say she was in the restricted area?</p> <p>6 A. I'm sorry?</p> <p>7 Q. Did he say she was in the restricted area?</p> <p>8 A. He did not say that, no.</p> <p>9 Q. Did you ask him.</p> <p>10 A. No. I didn't have to.</p> <p>11 Q. Did you make any effort to contact</p> <p>12 Shannon Spaulding to determine whether, to let her know</p> <p>13 that she was doing something that she wasn't supposed to</p> <p>14 do?</p> <p>15 A. No. I contacted her supervisor.</p> <p>16 Q. Was this in any way documented?</p> <p>17 A. Yes.</p> <p>18 Q. How so?</p> <p>19 A. I documented in the Departmental Evaluation</p> <p>20 System regarding Officer Hernandez visiting his</p> <p>21 girlfriend when he was supposed to be working.</p> <p>22 Q. And when did you do that?</p> <p>23 A. I believe that day or the day after.</p> <p>24 Q. Have you seen that document in connection with</p>

<p style="text-align: right;">Page 74</p> <p>1 this litigation?</p> <p>2 A. In this litigation, no.</p> <p>3 Q. What documents did you review before this</p> <p>4 deposition, if any?</p> <p>5 A. I did in fact review the command channel review</p> <p>6 for the CR number where it indicated I reduced the</p> <p>7 penalty against Shannon Spaulding from four days to two</p> <p>8 days, and reduced the penalty on Danny Echeverria from</p> <p>9 two days to one day.</p> <p>10 I knew it existed, and I spoke to counsel</p> <p>11 regarding that.</p> <p>12 Q. Did you talk to Mr. Hernandez about -- did you</p> <p>13 tell Mr. Hernandez that he shouldn't meet with</p> <p>14 Shannon Spaulding at Homan Square?</p> <p>15 A. I don't believe her name specifically came up.</p> <p>16 I said, you're not supposed to be visiting your</p> <p>17 girlfriend while you're working, and you're not supposed</p> <p>18 to leave your assigned post unless your supervisor knows</p> <p>19 about it.</p> <p>20 Q. Was there any indication of how long</p> <p>21 Shannon Spaulding was with Mr. Hernandez on that</p> <p>22 occasion?</p> <p>23 A. No, I don't believe so. I don't recall.</p> <p>24 Q. Was there any inquiry done as to, did you ask</p>	<p style="text-align: right;">Page 76</p> <p>1 A. No.</p> <p>2 Q. Did your kids ever attend school in Park Ridge?</p> <p>3 A. Yes.</p> <p>4 Q. Were you living in Park Ridge at that time?</p> <p>5 A. No.</p> <p>6 Q. Is that a private school?</p> <p>7 A. Yes. St. Paul of the Cross grade school.</p> <p>8 Believe me, I've got the receipts to prove it.</p> <p>9 Q. Did you ever send your children to any suburban</p> <p>10 public school?</p> <p>11 A. Ever?</p> <p>12 Q. Yes.</p> <p>13 A. Yes.</p> <p>14 Q. While you were a Chicago Police Department</p> <p>15 officer?</p> <p>16 A. Yes.</p> <p>17 Q. How did you make those arrangements?</p> <p>18 A. I owned a condo in the 1400 block of Touhy in</p> <p>19 Park Ridge, Illinois, and my father-in-law lived at that</p> <p>20 location with my daughter.</p> <p>21 Q. And did you list that address as their</p> <p>22 residence?</p> <p>23 A. That was listed as his. He lived there. That</p> <p>24 was his residence.</p>
<p style="text-align: right;">Page 75</p> <p>1 Mr. Hernandez how long she was there for?</p> <p>2 A. No. He admitted though that he had left his</p> <p>3 post without supervisory approval.</p> <p>4 Q. How far from his post did he go?</p> <p>5 A. I don't recall.</p> <p>6 Q. Is IAD allowed on the 2nd floor in Homan</p> <p>7 Square?</p> <p>8 A. They are allowed, but they have to be checked</p> <p>9 in. They can't just walk in off the street, if that's</p> <p>10 what you're asking.</p> <p>11 Q. Did you ever tell Tony Hernandez that if</p> <p>12 Shannon Spaulding returned to the building at Homan</p> <p>13 Square, he was to arrest her?</p> <p>14 A. No, I did not.</p> <p>15 Q. You aware of the residency requirements for the</p> <p>16 Chicago Police Department?</p> <p>17 A. Yes.</p> <p>18 Q. When you were a commander in CPD, were you</p> <p>19 aware of the school district you lived in?</p> <p>20 A. The school district I lived in?</p> <p>21 Q. Yes.</p> <p>22 A. I believe it was Ebinger.</p> <p>23 Q. Did you ever falsify your address to send your</p> <p>24 kids to Park Ridge?</p>	<p style="text-align: right;">Page 77</p> <p>1 Q. As your children's residence?</p> <p>2 A. My oldest daughter, yes, she lived there, you</p> <p>3 know, when she was in high school, the last year of high</p> <p>4 school.</p> <p>5 Q. Did you go to law school?</p> <p>6 A. Yes.</p> <p>7 Q. And what law school did you go to?</p> <p>8 A. John Marshall.</p> <p>9 Q. Were you going to law school while you were</p> <p>10 working as a Chicago police officer?</p> <p>11 A. Yes.</p> <p>12 Q. Did you ever take classes during your hours as</p> <p>13 a Chicago police officer?</p> <p>14 A. No.</p> <p>15 Q. Are you familiar with orders from the Chicago</p> <p>16 Police Department and the City of Chicago relating to</p> <p>17 whistle blower rules?</p> <p>18 A. Not specifically.</p> <p>19 Q. Have you ever spoken with Nick Roti about</p> <p>20 Shannon Spaulding -- I'm sorry. I believe we already</p> <p>21 brought that up.</p> <p>22 Have you ever spoken with anyone other than</p> <p>23 Nick Roti about Shannon Spaulding or Danny Echeverria</p> <p>24 being involved or working with the FBI?</p>

<p style="text-align: right;">Page 78</p> <p>1 A. No.</p> <p>2 Q. Were you ever present at any meeting where a</p> <p>3 discussion of where Danny and Shannon were assigned was</p> <p>4 brought up?</p> <p>5 A. Never.</p> <p>6 Q. Were you ever present in any meeting where</p> <p>7 Danny and Shannon working with the FBI was brought up?</p> <p>8 A. Never.</p> <p>9 Q. Did you ever tell anyone, other than</p> <p>10 Deputy Chief Roti, that you didn't want Danny or Shannon</p> <p>11 back in your unit?</p> <p>12 A. No.</p> <p>13 Q. Did you think that not bringing Danny or</p> <p>14 Shannon back to your unit might hurt their careers?</p> <p>15 A. No, not at all.</p> <p>16 Q. Do you know if Sergeant Padar was ever stripped</p> <p>17 for any alleged felony criminal act?</p> <p>18 A. Yes, he was stripped.</p> <p>19 Q. Do you know if this occurred while you were</p> <p>20 still commander of Narcotics?</p> <p>21 A. No, it was not then.</p> <p>22 Q. Were the allegations concerning his criminal</p> <p>23 acts, did they occur while you were his commander?</p> <p>24 A. I don't know.</p>	<p style="text-align: right;">Page 80</p> <p>1 allegations against another sworn member?</p> <p>2 A. Not specifically, no.</p> <p>3 Q. Were you aware of any general order that</p> <p>4 protects members of CPD who make complaints or</p> <p>5 allegations against another sworn member when you were</p> <p>6 working in IAD?</p> <p>7 A. I don't remember. That was many years ago.</p> <p>8 Q. Were you aware of a general order that</p> <p>9 protected whistle blowers when you were working IAD?</p> <p>10 A. No.</p> <p>11 Q. Were you aware of a general order that protects</p> <p>12 a member of CPD who makes a complaint or allegations</p> <p>13 against another sworn member when you were the commander</p> <p>14 of Narcotics?</p> <p>15 A. I don't recall it specifically, no.</p> <p>16 Q. Are you aware of any employee rights that</p> <p>17 protect whistle blowers?</p> <p>18 A. As far as an attorney or as far as general a</p> <p>19 order?</p> <p>20 Q. In terms of within the CPD, the Chicago Police</p> <p>21 Department?</p> <p>22 A. Like specific provisions or general orders, no.</p> <p>23 Q. Would you have knowledge of how -- I'm sorry.</p> <p>24 (Brief pause.)</p>
<p style="text-align: right;">Page 79</p> <p>1 Q. How did you become aware of the criminal</p> <p>2 allegations regarding Padar?</p> <p>3 A. I believe I read it in the paper.</p> <p>4 Q. Do you know if any other sworn members working</p> <p>5 under your command were also accused, together with</p> <p>6 Padar?</p> <p>7 A. Of the criminal act?</p> <p>8 Q. Yes.</p> <p>9 A. Yes.</p> <p>10 Q. Who?</p> <p>11 A. Vince Morgan.</p> <p>12 Q. And how did you learn about that?</p> <p>13 A. I read it in the paper.</p> <p>14 Q. Did you take any action when you learned of</p> <p>15 these allegations?</p> <p>16 A. I told my wife.</p> <p>17 Q. Were you still a commander at that point?</p> <p>18 A. No.</p> <p>19 Q. Are you aware of a specific general order that</p> <p>20 protects whistle blowers within the Chicago Police</p> <p>21 Department?</p> <p>22 A. No.</p> <p>23 Q. Are you aware of any general order that</p> <p>24 protects a member of CPD who makes a complaint or</p>	<p style="text-align: right;">Page 81</p> <p>1 MR. SMITH: If I could have just a few minutes,</p> <p>2 and I'm pretty sure we'll be less than 15 minutes, but</p> <p>3 I'm probably going to go through names.</p> <p>4 (Brief recess.)</p> <p>5 MR. SMITH: Q. Do you know a Jan Hanna?</p> <p>6 A. No.</p> <p>7 Q. Do you know a Kevin Sadowski?</p> <p>8 A. No.</p> <p>9 Q. Do you know a Lieutenant Deborah Pasqua?</p> <p>10 A. No.</p> <p>11 Q. Do you know a Commander Adrienne Stanley?</p> <p>12 A. I do know her, yes.</p> <p>13 Q. How long have you known her?</p> <p>14 A. Probably met her in '08 when I first made</p> <p>15 commander, and we went to meetings together. I've never</p> <p>16 really -- I don't really know her well at all.</p> <p>17 Q. Do you know a Sergeant Maurice Barnes?</p> <p>18 A. Yes.</p> <p>19 Q. How do you know Sergeant Maurice Barnes?</p> <p>20 A. Sergeant Barnes and I worked together in the</p> <p>21 Narcotics Division, I believe, when I was a police</p> <p>22 officer.</p> <p>23 Q. And did you work on the same team or just in</p> <p>24 the same unit?</p>

<p style="text-align: right;">Page 82</p> <p>1 A. In the same unit.</p> <p>2 Q. And do you know a Lieutenant Robert Cesario?</p> <p>3 A. I know him. I spoke to him a couple of times,</p> <p>4 and I was involved with the Chicago Police Memorial</p> <p>5 Foundation. I presented a check to his family for his</p> <p>6 brother who had cancer, I believe.</p> <p>7 But I don't know him really well. I met him a</p> <p>8 couple of times.</p> <p>9 Q. Do you know Joseph Salemi?</p> <p>10 A. Yes.</p> <p>11 Q. How long have you known Joseph Salemi?</p> <p>12 A. Approximately 15 years.</p> <p>13 Q. And are you personal friends?</p> <p>14 A. I don't see him socially. However, as</p> <p>15 commanders at one time we were both in Investigative</p> <p>16 Services, Narcotics, the Detective Division. We went to</p> <p>17 the same meetings together.</p> <p>18 I'm certainly friendly with him. I would</p> <p>19 consider him a friend, but I don't see him socially.</p> <p>20 Q. Do you know Thomas Mills, a sergeant?</p> <p>21 A. Yes.</p> <p>22 Q. How do you know Sergeant Mills?</p> <p>23 A. Sergeant Mills and I worked together in</p> <p>24 Narcotics.</p>	<p style="text-align: right;">Page 84</p> <p>1 Q. Did you ever talk with Joseph Salemi about the</p> <p>2 lawsuit itself?</p> <p>3 A. Not specifically.</p> <p>4 Q. Did you ever talk with Robert Cesario about the</p> <p>5 lawsuit?</p> <p>6 A. No, not at all.</p> <p>7 Q. Did you ever talk with Robert Cesario about</p> <p>8 either Danny or Shannon?</p> <p>9 A. I don't believe so.</p> <p>10 Q. Did you ever talk with Sergeant Barnes about</p> <p>11 Shannon or Danny?</p> <p>12 A. No.</p> <p>13 Q. Did you ever talk with Sergeant Barnes about</p> <p>14 the lawsuit?</p> <p>15 A. No.</p> <p>16 Q. Did you ever talk with Adrienne Stanley about</p> <p>17 the lawsuit?</p> <p>18 A. Not at all, no.</p> <p>19 Q. Did you ever talk with Adrienne Stanley about</p> <p>20 Shannon or Danny?</p> <p>21 A. No.</p> <p>22 Q. I think you said you didn't know</p> <p>23 Deborah Pasqua.</p> <p>24 A. No.</p>
<p style="text-align: right;">Page 83</p> <p>1 Q. Have you ever spoken to Thomas Mills about</p> <p>2 Danny or Shannon?</p> <p>3 A. No.</p> <p>4 Q. Have you ever spoken to Thomas Mills about that</p> <p>5 this lawsuit?</p> <p>6 A. I might have mentioned it, that it was, you</p> <p>7 know, that this lawsuit was filed.</p> <p>8 Q. Did he say anything about the lawsuit?</p> <p>9 A. How sad he was. He just kind of, you know,</p> <p>10 bothered by it.</p> <p>11 Q. Anything beyond that?</p> <p>12 A. Not really.</p> <p>13 Q. Did you discuss any details of the allegations</p> <p>14 in the lawsuit with Thomas Mills?</p> <p>15 A. No.</p> <p>16 Q. Were you friends with Thomas Mills?</p> <p>17 A. I would say yes, he's a friend. I don't see</p> <p>18 him socially, but I certainly consider him a friend.</p> <p>19 Q. The time you spoke to him about the lawsuit,</p> <p>20 where was that?</p> <p>21 A. I don't remember. Maybe at a police function.</p> <p>22 Q. Were you still a police officer with Chicago at</p> <p>23 that time?</p> <p>24 A. I believe, yes.</p>	<p style="text-align: right;">Page 85</p> <p>1 Q. And you didn't know Kevin Sadowski?</p> <p>2 A. No.</p> <p>3 Q. We may have already talked about something with</p> <p>4 Nicholas Roti, but did you ever talk with Nicholas Roti</p> <p>5 about the lawsuit?</p> <p>6 A. Yes.</p> <p>7 Q. Did you ever talk to him about the specifics in</p> <p>8 the lawsuit?</p> <p>9 A. Some of the allegations.</p> <p>10 Q. Which allegations?</p> <p>11 A. Specifically that I would refer to anyone</p> <p>12 having worked in Internal Affairs as being rats.</p> <p>13 Having spent a very important part of my career</p> <p>14 in Internal Affairs, it really bothered me personally.</p> <p>15 Q. Any other allegations that you talked to him</p> <p>16 about?</p> <p>17 A. Nothing specific.</p> <p>18 Q. When you talked about the lawsuit, did you</p> <p>19 discuss the incident concerning Homan Square at all with</p> <p>20 Nicholas Roti in terms of Shannon Spaulding visiting</p> <p>21 Tony Hernandez?</p> <p>22 A. I spoke to Nick, Chief Roti, on a daily basis.</p> <p>23 I'm sure I mentioned to him that I contacted</p> <p>24 Commander Salemi to inform him one of his officers was</p>

<p style="text-align: right;">Page 86</p> <p>1 goofing off.</p> <p>2 Q. And would that have been at the time shortly</p> <p>3 after it happened or when you were talking about the</p> <p>4 lawsuit?</p> <p>5 A. Probably shortly thereafter, to the best of my</p> <p>6 memory.</p> <p>7 Q. Shortly after the incident itself?</p> <p>8 A. Correct.</p> <p>9 Q. Have you talked to Deborah Kirby about the</p> <p>10 lawsuit?</p> <p>11 A. No, not at all.</p> <p>12 Q. And I think you already indicated you didn't</p> <p>13 talk to Juan Rivera about the lawsuit?</p> <p>14 A. No.</p> <p>15 Q. I am correct, you did not talk to him?</p> <p>16 A. No, I did not.</p> <p>17 Q. Have you ever talked to Deborah Kirby about</p> <p>18 Shannon Spaulding or Danny Echeverria?</p> <p>19 A. No.</p> <p>20 Q. Now, do you know Jimmy Jackson?</p> <p>21 A. Yes, sir. Yes, I know him.</p> <p>22 Q. Who has been a high-ranking member in the</p> <p>23 Chicago Police Department?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 88</p> <p>1 criminal act, he's got to -- he has to take police</p> <p>2 action. He should, if necessary, make an arrest.</p> <p>3 Q. Okay. So, they should report it under their</p> <p>4 chain of command and potentially make an arrest, is that</p> <p>5 your...</p> <p>6 A. Yes.</p> <p>7 Q. Hypothetically speaking, if that circumstance</p> <p>8 occurs, an officer reports another officer through their</p> <p>9 chain of command, if the reporting officer, for whatever</p> <p>10 reason, doesn't feel the response is appropriate, do you</p> <p>11 have any problem with that reporting officer then going</p> <p>12 outside of the Chicago Police Department to a third party</p> <p>13 law enforcement agency, such as the FBI?</p> <p>14 A. Not at all, as long as they follow the</p> <p>15 protocols initially as they're required to do, whatever</p> <p>16 step they feel necessary to safeguard the department is</p> <p>17 fine with me.</p> <p>18 MR. KING: No further questions.</p> <p>19 FURTHER EXAMINATION</p> <p>20 BY MR. SMITH:</p> <p>21 Q. Do you know any instances where that's</p> <p>22 occurred?</p> <p>23 A. Not personally, no.</p> <p>24 Q. What would be a sufficient amount of activity</p>
<p style="text-align: right;">Page 87</p> <p>1 Q. Is he still with the Chicago Police Department,</p> <p>2 if you know?</p> <p>3 A. No.</p> <p>4 Q. How long did you know him?</p> <p>5 A. From at least from 1999 on. So, 15 years.</p> <p>6 Q. Did you ever discuss Sergeant Watts with</p> <p>7 Jimmy Jackson?</p> <p>8 A. No. I don't know Sergeant Watts.</p> <p>9 Q. And have you ever talked with Jimmy Jackson</p> <p>10 about Shannon Spaulding or Danny Echeverria?</p> <p>11 A. Never.</p> <p>12 MR. SMITH: Nothing further.</p> <p>13 MR. KING: I have a couple of questions.</p> <p>14 EXAMINATION</p> <p>15 BY MR. KING:</p> <p>16 Q. Mr. O'Grady, counsel was asking you some</p> <p>17 questions earlier in the deposition about, if a police</p> <p>18 officer observed or witnessed another police officer</p> <p>19 potentially engaging in illegal conducts.</p> <p>20 I think you indicated that you would expect</p> <p>21 them to report that internally within CPD through the</p> <p>22 chain of command; is that correct?</p> <p>23 A. Yes. However, that doesn't preclude them from</p> <p>24 -- if an officer observes another officer commit a</p>	<p style="text-align: right;">Page 89</p> <p>1 within your chain of command if you saw an officer</p> <p>2 engaged in criminal action, for an officer to take before</p> <p>3 going to outside agency, in your opinion?</p> <p>4 A. In my opinion, if an officer witnessed a</p> <p>5 criminal act, he has to take proper police action. That</p> <p>6 very well could be, make an arrest or intercede.</p> <p>7 If one of my teams was out there conducting a</p> <p>8 narcotic surveillance, and a subject was engaged in a</p> <p>9 narcotics transaction, and they knew that subject to be a</p> <p>10 police officer, they wouldn't merely file a report.</p> <p>11 They'd have to make an arrest.</p> <p>12 Q. Okay.</p> <p>13 A. And officers in the division have arrested</p> <p>14 police officers before.</p> <p>15 Q. Let's take it back a notch.</p> <p>16 If an officer gets seemingly strong evidence</p> <p>17 that another police officer is engaged in a crime, and</p> <p>18 they, according to you, are then supposed to go to their</p> <p>19 supervisor to report, that would that be fair to say, if</p> <p>20 they can't make an arrest at the time?</p> <p>21 A. Then they should definitely report and obtain a</p> <p>22 CR number, see that a CR number is obtained.</p> <p>23 Q. And to what extent would you believe they would</p> <p>24 have to go internally before they should go to an outside</p>

<p style="text-align: right;">Page 90</p> <p>1 agency?</p> <p>2 A. Well, any officer can get a CR number at any</p> <p>3 time. All you have to do is pick up the phone and call</p> <p>4 Internal Affairs or IPRA and obtain the CR number.</p> <p>5 So, there's no -- it doesn't eliminate that</p> <p>6 duty. They're required to obtain a CR number, but they</p> <p>7 should go through the chain of command. They should</p> <p>8 notify a supervisor.</p> <p>9 Q. If they notify their immediate supervisor, and</p> <p>10 the immediate supervisor did not obtain a CR, do you</p> <p>11 think they would be in a position to then go to an</p> <p>12 outside agency?</p> <p>13 A. They should still obtain the CR number</p> <p>14 themselves. They don't need a supervisor to get the CR</p> <p>15 number. They should get the CR number themselves.</p> <p>16 Q. Do you think that would be a problem if they</p> <p>17 didn't get the CR number themselves?</p> <p>18 A. If they didn't get a CR number, that would</p> <p>19 definitely be a problem.</p> <p>20 Q. If they had suspicions that the police</p> <p>21 department wouldn't take any action, would you believe it</p> <p>22 would be okay to go to the outside agency at that point?</p> <p>23 A. If that officer subjectively felt that that was</p> <p>24 the only way to safeguard the police department and the</p>	<p style="text-align: right;">Page 92</p> <p>1 STATE OF ILLINOIS)</p> <p style="text-align: center;">) SS.</p> <p>2 COUNTY OF C O O K)</p> <p>3</p> <p>4 I, THOMAS A. MANNO, C.S.R. and Notary Public,</p> <p>5 do hereby certify that I reported in machine shorthand</p> <p>6 the testimony held at the deposition of JAMES O'GRADY</p> <p>7 taken on March 5th, 2015, and that this transcript is a</p> <p>8 true and accurate transcription of my machine shorthand</p> <p>9 notes so taken to the best of my ability, and contains</p> <p>10 all of the proceedings given at said deposition.</p> <p>11</p> <p>12</p> <p style="text-align: center;">_____ THOMAS A. MANNO, C.S.R. License No. 84-001174</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
<p style="text-align: right;">Page 91</p> <p>1 well-being of the general public, yes. I have no</p> <p>2 problem.</p> <p>3 I worked with the FBI myself. I worked with</p> <p>4 DEA myself. So I have no problem with them going to</p> <p>5 outside agencies.</p> <p>6 Q. When you worked with the FBI and the DEA</p> <p>7 agencies, that was within your job as a Chicago police</p> <p>8 officer within the Chicago Police Department, correct?</p> <p>9 A. Correct.</p> <p>10 Q. You weren't going to them outside of your work</p> <p>11 at the Chicago Police Department to report--</p> <p>12 A. No.</p> <p>13 MR. SMITH: Nothing further.</p> <p>14 MR. KING: Okay. We'll reserve.</p> <p>15 (The deposition ended at 11:52 a.m.)</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 93</p> <p>1 Veritext Legal Solutions</p> <p>2 1 North Franklin Street - Suite 3000</p> <p>3 Chicago, Illinois 60606</p> <p>4 Phone: 312-442-9087</p> <p>5</p> <p>6 May 22, 2015</p> <p>7 To: Alan S. King</p> <p>8 Case Name: Spaulding, Shannon, et al. v. City Of Chicago, et al.</p> <p>9 Veritext Reference Number: 2026015</p> <p>10 Witness: James O'Grady Deposition Date: 3/5/2015</p> <p>11 Dear Sir/Madam:</p> <p>12 Enclosed please find a deposition transcript. Please have the witness</p> <p>13 review the transcript and note any changes or corrections on the</p> <p>14 included errata sheet, indicating the page, line number, change, and</p> <p>15 the reason for the change. Have the witness' signature at the bottom</p> <p>16 of the sheet notarized and forward errata sheet back to us at the</p> <p>17 address shown above, or email to production-midwest@veritext.com.</p> <p>18 If the errata is not returned within thirty days of your receipt of</p> <p>19 this letter, the reading and signing will be deemed waived.</p> <p>20</p> <p>21</p> <p>22 Sincerely,</p> <p>23</p> <p>24 Production Department</p>

<p style="text-align: right;">Page 94</p> <p>1 DEPOSITION REVIEW CERTIFICATION OF WITNESS</p> <p>2</p> <p>3 ASSIGNMENT NO: 2026015</p> <p>4 CASE NAME: Spaulding, Shannon, et al. v. City Of Chicago</p> <p>5 DATE OF DEPOSITION: 3/5/2015</p> <p>6 WITNESS' NAME: James O'Grady</p> <p>7 In accordance with the Rules of Civil Procedure, I have read the entire transcript of 8 my testimony or it has been read to me.</p> <p>9 I have made no changes to the testimony as transcribed by the court reporter.</p> <p>10 _____</p> <p>11 Date James O'Grady</p> <p>12 Sworn to and subscribed before me, a Notary Public in and for the State and County, 13 the referenced witness did personally appear and acknowledge that:</p> <p>14 They have read the transcript;</p> <p>15 They signed the foregoing Sworn Statement; and</p> <p>16 Their execution of this Statement is of their free act and deed.</p> <p>17 I have affixed my name and official seal</p> <p>18 this _____ day of _____, 20____.</p> <p>19 _____</p> <p>20 Notary Public</p> <p>21 _____</p> <p>22 Commission Expiration Date</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 96</p> <p>1 ERRATA SHEET VERITEXT LEGAL SOLUTIONS MIDWEST</p> <p>2 ASSIGNMENT NO: 2026015</p> <p>3 PAGE/LINE(S) / CHANGE /REASON</p> <p>4 _____</p> <p>5 _____</p> <p>6 _____</p> <p>7 _____</p> <p>8 _____</p> <p>9 _____</p> <p>10 _____</p> <p>11 _____</p> <p>12 _____</p> <p>13 _____</p> <p>14 _____</p> <p>15 _____</p> <p>16 _____</p> <p>17 _____</p> <p>18 _____</p> <p>19 _____</p> <p>20 _____</p> <p>21 Date James O'Grady</p> <p>22 SUBSCRIBED AND SWORN TO BEFORE ME THIS _____</p> <p>23 DAY OF _____, 20____.</p> <p>24 _____</p> <p>25 Notary Public</p> <p> _____</p> <p> Commission Expiration Date</p>
<p style="text-align: right;">Page 95</p> <p>1 DEPOSITION REVIEW CERTIFICATION OF WITNESS</p> <p>2</p> <p>3 ASSIGNMENT NO: 2026015</p> <p>4 CASE NAME: Spaulding, Shannon, et al. v. City Of Chicago</p> <p>5 DATE OF DEPOSITION: 3/5/2015</p> <p>6 WITNESS' NAME: James O'Grady</p> <p>7 In accordance with the Rules of Civil Procedure, I have read the entire transcript of 8 my testimony or it has been read to me.</p> <p>9 I have listed my changes on the attached Errata Sheet, listing page and line numbers as 10 well as the reason(s) for the change(s).</p> <p>11 I request that these changes be entered as part of the record of my testimony.</p> <p>12 I have executed the Errata Sheet, as well 13 as this Certificate, and request and authorize that both be appended to the transcript of my 14 testimony and be incorporated therein.</p> <p>15 _____</p> <p>16 Date James O'Grady</p> <p>17 Sworn to and subscribed before me, a 18 Notary Public in and for the State and County, 19 the referenced witness did personally appear and acknowledge that:</p> <p>20 They have read the transcript;</p> <p>21 They have listed all of their corrections in the appended Errata Sheet;</p> <p>22 They signed the foregoing Sworn Statement; and</p> <p>23 Their execution of this Statement is of their free act and deed.</p> <p>24 I have affixed my name and official seal</p> <p>25 this _____ day of _____, 20____.</p> <p> _____</p> <p> Notary Public</p> <p> _____</p> <p> Commission Expiration Date</p>	

Exhibit I

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CHICAGO POLICE
OFFICERS SHANNON
SPALDING AND DANIEL
ECHEVERRIA,

Plaintiffs,

vs.

No. 12 C 8777

CITY OF CHICAGO,
CHICAGO POLICE CHIEF
JUAN RIVERA, CHICAGO
POLICE CHIEF DEBRA
KIRBY, CHICAGO POLICE
COMMANDER JAMES
O'GRADY, CHICAGO
POLICE CHIEF NICHOLAS
ROTTI, CHICAGO POLICE
LT. DEBORAH PASCUA,
CHICAGO POLICE
SERGEANT MAURICE
BARNES, CHICAGO POLICE
LT. ROBERT CESARIO,
CHICAGO POLICE
COMMANDER JOSEPH
SALEMME, CHICAGO
POLICE SERGEANT THOMAS
MILLS, CHICAGO POLICE
SERGEANT MICHAEL BARZ
and CHICAGO POLICE
SERGEANT ROBERT
MUSCOLINO,

Defendants.

DEPOSITION OF JAMES W. PADAR

MAY 21, 2015

1:26 p.m.

<p style="text-align: right;">2</p> <p>1 The deposition of JAMES W. PADAR, 2 called for examination pursuant to the Rules 3 of Civil Procedure for the United States 4 District Courts pertaining to the taking of 5 depositions, taken before MARIBETH REILLY, 6 C.S.R., and notary public within and for the 7 County of DuPage and State of Illinois, at 8 One North LaSalle Street, Suite 2000, 9 Chicago, Illinois, on May 21, 2015, 10 commencing at the hour of 1:37 p.m.</p> <p>11 12 APPEARANCES: 13 KINOY, TAREN & GERAGHTY, P.C., by, 14 MR. JEFFREY TAREN 15 224 South Michigan Avenue 16 Suite 490 17 Chicago, Illinois 60604 18 -and- 19 CHRISTOPHER SMITH TRIAL GROUP, by, 20 MR. CHRISTOPHER SMITH 21 One North Lasalle Street 22 Suite 3040 23 Chicago, Illinois 60602 24 Representing the Plaintiffs;</p>	<p style="text-align: right;">4</p> <p>1 INDEX 2 WITNESS EXAMINATION 3 JAMES W. PADAR 4 By Mr. Taren 6 5 6 7 EXHIBITS 8 9 NUMBER MARKED FOR ID 10 Deposition Exhibit 11 No. 1 54 12 13 14 15 16 17 18 19 20 21 22 23 24</p>
<p style="text-align: right;">3</p> <p>1 APPEARANCES: (Continued) 2 3 DRINKER BIDDLE & REATH, LLP, by, 4 MR. ALAN KING 5 191 North Wacker Drive 6 Suite 3700 7 Chicago, Illinois 60606 8 Representing the Defendants; 9 10 MS. SHANNON SPALDING, 11 Also present. 12 13 14 15 16 17 18 19 20 21 22 23 24</p>	<p style="text-align: right;">5</p> <p>1 (Witness duly sworn.) 2 MR. TAREN: Would you state and 3 spell your full name for the record. 4 THE WITNESS: James William Padar, 5 J-a-m-e-s, W-i-l-l-i-a-m, P-a-d-a-r. 6 MR. TAREN: Thank you. This is 7 the deposition of James William Padar taken 8 in the case Shannon Spalding and Daniel 9 Echeverria versus the City of Chicago, et 10 al., Northern District of Illinois, Number 11 12 C 8777. 12 My name is Jeffrey Taren. I 13 am one of the attorneys for the Plaintiffs, 14 and I will be taking your deposition today. 15 You have had your deposition 16 taken before; is that correct? 17 THE WITNESS: Yes. 18 MR. TAREN: Well, I will just 19 briefly tell you how things will proceed 20 here. I am going to be asking you a series 21 of questions concerning your employment with 22 the Chicago Police Department, knowledge you 23 may have of some of the facts in the matter 24 brought by Shannon Spalding and Danny</p>

<p style="text-align: right;">6</p> <p>1 Echeverria. None of the questions I ask are 2 meant to trick or deceive you in any way. 3 So if you don't understand the question, let 4 me know. I will be happy to rephrase the 5 question. 6 In terms of our rules, the 7 primary rule is that all answers must be 8 audible. So if you nod your head, like you 9 just did, and we all do, the court reporter 10 can't take that down. So I would ask you to 11 please articulate all of your answers. 12 Okay? 13 THE WITNESS: Yes. 14 MR. TAREN: If you need to take a 15 break, let us know. I will be a happy to do 16 that. 17 And then as I tell everyone, 18 some of the questions that I ask you are 19 going to be somewhat personal. We do that 20 for everyone. There is background 21 information that's necessary, and so please 22 don't take offense. 23 24</p>	<p style="text-align: right;">8</p> <p>1 but that's it. 2 Q. Do you have kids? 3 A. Yes. 4 Q. How old are they? 5 A. I have six-year old twins. 6 Q. So they are, obviously, not 7 employed by the Chicago Police Department? 8 A. That's correct. 9 Q. Is that right? 10 Do you currently have other 11 members of your family who are employed by 12 the Chicago Police Department? 13 A. No. 14 Q. Other members of your family have 15 been Chicago police officers in the past; is 16 that correct? 17 A. Yes. 18 Q. And who would that be? 19 A. My father. 20 Q. His name is also James; is that 21 correct? 22 A. Yes. 23 Q. Anyone else? Any siblings or 24 uncles?</p>
<p style="text-align: right;">7</p> <p>1 JAMES W. PADAR, 2 called as a witness herein, was examined and 3 testified as follows: 4 EXAMINATION 5 BY MR. TAREN: 6 Q. And can we start with some 7 background information. Can you give me 8 your current address, home address. 9 A. 7825 West Thorndale, and that's in 10 Chicago, 60631. 11 Q. How long have you lived there? 12 A. Approximately 11 years. 13 Q. Are you married? 14 A. Yes. 15 Q. Can I have your date of birth, 16 please? 17 A. 18, December, 1973. 18 Q. Do you also go by the name of Jay 19 sometimes? 20 A. Yes. 21 Q. Are there other names that you 22 have gone by either professionally or 23 personally? 24 A. Some people have called me Jim,</p>	<p style="text-align: right;">9</p> <p>1 A. No, not that I can think of. 2 Q. All right. What is your 3 educational background? Let's start with 4 high school. Where did you go to high 5 school? 6 A. Loyola Academy. 7 Q. When did you graduate? 8 A. '92. 9 Q. And after high school, have you 10 had other formal education? 11 A. I attended Western Illinois 12 University and graduated in 1996. 13 Q. What was your degree in? 14 A. Criminal justice. 15 Q. How about after '96, have you had 16 any graduate level educational courses? 17 A. I completed my Master's degree at 18 Lewis University. 19 Q. When was that? 20 A. I would be estimating, but I 21 believe it was approximately 2005. 22 Q. What is your Master's in? 23 A. Criminal justice. 24 Q. After college, what was your first</p>

<p>10</p> <p>1 full-time employment?</p> <p>2 A. I worked for Toyota Motor Credit</p> <p>3 Corporation and Lexus Financial Services.</p> <p>4 Q. For what period of time?</p> <p>5 A. I believe the years were 1996</p> <p>6 through 1998.</p> <p>7 Q. When did you enter the Chicago</p> <p>8 Police Department?</p> <p>9 A. 1998.</p> <p>10 Q. And have you been a full-time</p> <p>11 employee of the police department ever</p> <p>12 since?</p> <p>13 A. Yes.</p> <p>14 Q. What is your current status with</p> <p>15 the Chicago Police Department?</p> <p>16 A. I'm assigned to Narcotics,</p> <p>17 detailed to the Alternate Response Section.</p> <p>18 Q. What's the Alternate Response</p> <p>19 Section?</p> <p>20 A. They take nonemergency police</p> <p>21 reports over the phone.</p> <p>22 Q. That's the 311 center?</p> <p>23 A. Yes.</p> <p>24 Q. How long have you been at 311?</p>	<p>12</p> <p>1 Q. Have you written any other books?</p> <p>2 A. No.</p> <p>3 Q. Is there some book that you are</p> <p>4 currently working on?</p> <p>5 A. No.</p> <p>6 Q. I understand from the blogosphere</p> <p>7 that when you started -- starting in 1999,</p> <p>8 you began writing emails to your father</p> <p>9 about your work at the Chicago Police</p> <p>10 Department; is that correct?</p> <p>11 A. Yes.</p> <p>12 Q. Do you still do that?</p> <p>13 A. I can't recall the last time I</p> <p>14 wrote an email to my father about the work I</p> <p>15 have done on the police department.</p> <p>16 Q. Well, tell me for what period of</p> <p>17 time -- and by the way, I will let you know,</p> <p>18 I am getting this from an interview that's</p> <p>19 online that you gave to NBC in February</p> <p>20 of 2014.</p> <p>21 A. Sure.</p> <p>22 Q. Are you familiar -- you recall</p> <p>23 that email?</p> <p>24 A. Yes.</p>
<p>11</p> <p>1 A. Just over a year.</p> <p>2 Q. Have you been on suspension at</p> <p>3 some point over the last two years?</p> <p>4 A. I have not been suspended.</p> <p>5 Q. Were you on some kind of paid</p> <p>6 leave?</p> <p>7 A. I am -- I have been assigned to</p> <p>8 administrative duties.</p> <p>9 Q. We will get into some of that</p> <p>10 later.</p> <p>11 And are there restrictions,</p> <p>12 some restrictions on your duties at the</p> <p>13 Chicago Police Department now currently?</p> <p>14 A. Yes.</p> <p>15 Q. What are those restrictions?</p> <p>16 A. I cannot carry a gun. I cannot</p> <p>17 take police action.</p> <p>18 Q. You are also an author; is that</p> <p>19 correct?</p> <p>20 A. Yes.</p> <p>21 Q. And you have written with your</p> <p>22 father a book called "On Being a Cop"; is</p> <p>23 that correct?</p> <p>24 A. Yes.</p>	<p>13</p> <p>1 Q. And you are aware of this? Anyone</p> <p>2 could go online and see the interview?</p> <p>3 A. Yes.</p> <p>4 Q. And in that you state that you</p> <p>5 were writing emails about your adventures to</p> <p>6 your father.</p> <p>7 My question is: For what</p> <p>8 period of time did you continue to do that?</p> <p>9 A. I know I wrote emails, I believe,</p> <p>10 beginning in 1998.</p> <p>11 Q. Okay.</p> <p>12 A. The last story which I wrote,</p> <p>13 which I did email to my father, was</p> <p>14 probably -- I don't know if it was 2013 or</p> <p>15 2014.</p> <p>16 Q. Okay.</p> <p>17 A. It was close to not this past</p> <p>18 Christmas, maybe the Christmas before.</p> <p>19 Q. All right. So these emails that</p> <p>20 you would send to your father, would they</p> <p>21 detail some of the experiences that you had</p> <p>22 as a Chicago police officer?</p> <p>23 A. Yes.</p> <p>24 Q. Did they form the basis of some of</p>

<p style="text-align: right;">14</p> <p>1 the stories that you have written?</p> <p>2 A. Yes.</p> <p>3 Q. Do you have all the emails that</p> <p>4 you sent to your father?</p> <p>5 A. No.</p> <p>6 Q. Where did you send them from?</p> <p>7 A. From different computers. Most</p> <p>8 likely, different email accounts. I had</p> <p>9 AT&T as my service provider at one point.</p> <p>10 Comcast was my service provider for another</p> <p>11 point.</p> <p>12 Q. Let me stop you there. So for</p> <p>13 what period of time did you have AT&T as</p> <p>14 your service provider?</p> <p>15 A. I can't recall those dates, but I</p> <p>16 can tell you that I currently have AT&T as</p> <p>17 my service provider.</p> <p>18 Q. And that's an email -- what email</p> <p>19 address did you have with AT&T?</p> <p>20 A. Jaypadar@att.net.</p> <p>21 Q. And do you know what period of</p> <p>22 time you had Comcast as a service provider?</p> <p>23 A. I don't recall the exact date. I</p> <p>24 would estimate that I have had AT&T for two</p>	<p style="text-align: right;">16</p> <p>1 associated with the web site "On Being a</p> <p>2 Cop" that gets forwarded to me, which is</p> <p>3 jay@onbeingacop.com.</p> <p>4 Q. Is it your testimony that you have</p> <p>5 not archived any of the emails that you sent</p> <p>6 about your work experiences?</p> <p>7 A. I have saved some of them. I have</p> <p>8 not archived all of my emails that I sent to</p> <p>9 my father.</p> <p>10 Q. In what format did you save them?</p> <p>11 A. I have stories that I have written</p> <p>12 to my father, and I believe I have them on a</p> <p>13 laptop at home.</p> <p>14 Q. During the period 2010 through</p> <p>15 2012, did you send emails about some of your</p> <p>16 work experiences to your father to anyone</p> <p>17 else?</p> <p>18 A. I don't recall at this point.</p> <p>19 Q. So you may have, or you may not</p> <p>20 have; is that correct?</p> <p>21 A. That is correct.</p> <p>22 Q. What email address did you send</p> <p>23 your stories about your experiences to?</p> <p>24 A. I know my father's email address,</p>
<p style="text-align: right;">15</p> <p>1 to three years. And prior to that, I had</p> <p>2 Comcast.</p> <p>3 Q. What email addresses did you use</p> <p>4 with regard to Comcast as a service</p> <p>5 provider?</p> <p>6 A. I don't recall.</p> <p>7 Q. You don't recall any of your email</p> <p>8 addresses for Comcast?</p> <p>9 A. For Comcast, no. I don't know</p> <p>10 what they assigned me.</p> <p>11 Q. Do you know was it something</p> <p>12 @comcast.net?</p> <p>13 A. I would assume so.</p> <p>14 Q. Did you have more than one email</p> <p>15 address with Comcast?</p> <p>16 A. Not that I'm aware of.</p> <p>17 Q. Are you aware of any other email</p> <p>18 providers that -- service providers that you</p> <p>19 used in sending emails about your work</p> <p>20 experiences?</p> <p>21 A. I have used the email address of</p> <p>22 jay@padar.org.</p> <p>23 Q. Okay.</p> <p>24 A. And there is an email address</p>	<p style="text-align: right;">17</p> <p>1 which I may have sent it to this address is</p> <p>2 jim@padar.org.</p> <p>3 Q. Do you know how long he's had that</p> <p>4 email address?</p> <p>5 A. I don't.</p> <p>6 Q. Do you know whether he has kept</p> <p>7 any or all of the emails that you have sent</p> <p>8 him concerning your experiences at work?</p> <p>9 A. I am not certain what he's kept.</p> <p>10 Q. Have you ever sent an email to</p> <p>11 your father or anyone else which has</p> <p>12 anything to do with Shannon Spalding or</p> <p>13 Danny Echeverria?</p> <p>14 A. I don't recall if I have.</p> <p>15 Q. So I am clear about your answer,</p> <p>16 it's possible and perhaps you did, perhaps</p> <p>17 you did not; is that correct?</p> <p>18 A. Yes.</p> <p>19 MR. TAREN: I am going to ask you</p> <p>20 to please preserve any and all emails that</p> <p>21 you have in your possession until we can</p> <p>22 issue a subpoena.</p> <p>23 THE WITNESS: Okay.</p> <p>24</p>

<p style="text-align: right;">18</p> <p>1 BY MR. TAREN:</p> <p>2 Q. In any of your emails concerning</p> <p>3 your employment at the Chicago Police</p> <p>4 Department, do you mention anything about</p> <p>5 crooked cops?</p> <p>6 A. I don't recall mentioning anything</p> <p>7 about crooked cops.</p> <p>8 Q. Do any of your emails discuss</p> <p>9 anything about Internal Affairs?</p> <p>10 A. I don't recall.</p> <p>11 Q. In any of the emails that you</p> <p>12 sent, do you refer to anyone as a rat, or</p> <p>13 recount anyone you have worked -- well, take</p> <p>14 it one at a time.</p> <p>15 In any of your emails that you</p> <p>16 sent concerning your experiences at the</p> <p>17 police department, do you ever refer to</p> <p>18 anyone as a rat?</p> <p>19 A. I don't recall ever referring to</p> <p>20 anyone as a rat.</p> <p>21 Q. Do you recall recounting anyone</p> <p>22 else referring to someone as a rat in your</p> <p>23 emails?</p> <p>24 A. I don't recall that.</p>	<p style="text-align: right;">20</p> <p>1 Q. So there is a Twitter account</p> <p>2 associated with On Being a Cop blog; is that</p> <p>3 right?</p> <p>4 A. Yes.</p> <p>5 Q. Who handles that Twitter account?</p> <p>6 A. My father does.</p> <p>7 Q. Do you have an Instagram account?</p> <p>8 A. I don't.</p> <p>9 Q. Does the blog have one?</p> <p>10 A. Not that I'm aware of.</p> <p>11 Q. What about Facebook, do you have a</p> <p>12 Facebook account?</p> <p>13 A. I do not have a Facebook account.</p> <p>14 Q. I know your father does.</p> <p>15 A. Yes.</p> <p>16 Q. Correct?</p> <p>17 Do you ever post things on</p> <p>18 your father's Facebook account?</p> <p>19 A. I do not.</p> <p>20 Q. Does your blog have a Facebook</p> <p>21 account?</p> <p>22 A. Yes.</p> <p>23 Q. Who handles that?</p> <p>24 A. My father.</p>
<p style="text-align: right;">19</p> <p>1 Q. I hate to ask this question, but</p> <p>2 how many emails do you think you have sent</p> <p>3 over the years concerning your employment?</p> <p>4 A. Concerning my employment?</p> <p>5 Q. Yes.</p> <p>6 A. Would probably be well into the</p> <p>7 thousands.</p> <p>8 Q. Do you have a Twitter account?</p> <p>9 A. I do not have a Twitter account.</p> <p>10 There is a Twitter account associated with</p> <p>11 On Being a Cop.</p> <p>12 Q. By the way, have you turned</p> <p>13 over -- Has anyone from the City of Chicago</p> <p>14 asked you to look through your emails to see</p> <p>15 if there is anything that refers to Shannon</p> <p>16 Spalding or Danny Echeverria?</p> <p>17 A. I don't recall anyone asking me to</p> <p>18 look for that material.</p> <p>19 Q. And is it accurate then that you</p> <p>20 have not turned those emails over, any of</p> <p>21 your emails over to the City for -- in</p> <p>22 anything to do with this lawsuit, the</p> <p>23 Spalding/Echeverria lawsuit?</p> <p>24 A. I don't believe I have.</p>	<p style="text-align: right;">21</p> <p>1 Q. Do you have any other social media</p> <p>2 accounts?</p> <p>3 A. I can't think of any other social</p> <p>4 media accounts that I have.</p> <p>5 Q. All right. Do you follow any</p> <p>6 other Chicago police -- strike that.</p> <p>7 I want to keep this limited to</p> <p>8 just matters involving law enforcement of</p> <p>9 the Chicago Police Department. I don't care</p> <p>10 about other personal issues, blogs that you</p> <p>11 might follow.</p> <p>12 Are there any blogs that you</p> <p>13 follow that are either by Chicago police</p> <p>14 officers, current or former, or deal with</p> <p>15 matters of the Chicago Police Department?</p> <p>16 A. I have read Second City Cop Blog</p> <p>17 Spot.</p> <p>18 Q. Any others?</p> <p>19 A. There is nothing that I read</p> <p>20 regularly. However, I am certain on that</p> <p>21 blog spot, there are probably attachments to</p> <p>22 other sites that I have looked at, but</p> <p>23 nothing with any regularity.</p> <p>24 Q. Do you know who runs Second City</p>

<p style="text-align: right;">22</p> <p>1 Cop Blog Spot?</p> <p>2 A. I don't.</p> <p>3 Q. I apologize for having to ask this</p> <p>4 question about a specific blog spot, but I</p> <p>5 do. Have you ever accessed a blog called</p> <p>6 "shavedlongcock.blogspot"?</p> <p>7 A. I believe that's one of the links</p> <p>8 on Second City Cop, so I may have.</p> <p>9 Q. Do you know who writes or is</p> <p>10 involved with that blog spot?</p> <p>11 A. I do not.</p> <p>12 Q. Have you read any articles in that</p> <p>13 blog spot that refer to Chicago police</p> <p>14 officers who cooperated with the FBI?</p> <p>15 A. I don't recall what I have read on</p> <p>16 that blog spot.</p> <p>17 Q. Do you have any recollection of</p> <p>18 reading a blog spot that refers to Officer</p> <p>19 Keith Herrera as a rat fink?</p> <p>20 MR. KING: I'd just object to the</p> <p>21 form of the question and the lack of</p> <p>22 foundation, and frankly, the relevance.</p> <p>23 Maybe we are moving towards something</p> <p>24 relevant. I don't know, but you can answer</p>	<p style="text-align: right;">24</p> <p>1 A. Nothing that I can recall at this</p> <p>2 point.</p> <p>3 Q. When you say that there is a link</p> <p>4 to that blog spot on your blog -- I'm sorry,</p> <p>5 is that what you said?</p> <p>6 A. No.</p> <p>7 Q. Have you kept a diary of any of</p> <p>8 your activities on the Chicago Police</p> <p>9 Department during your career? And by</p> <p>10 diary, I mean either handwritten or</p> <p>11 electronic?</p> <p>12 A. No.</p> <p>13 Q. Did you keep a calendar or a</p> <p>14 notebook that dealt with your employment</p> <p>15 with the Chicago Police Department?</p> <p>16 A. I have had FOP books which has a</p> <p>17 calendar that I receive each year from the</p> <p>18 FOP. I know I have the current one. I</p> <p>19 don't know if I have any subsequent ones.</p> <p>20 Q. What I am really focusing on is</p> <p>21 whether there are any documents in which you</p> <p>22 made recordings of what conversations you</p> <p>23 had or meetings that you had or</p> <p>24 investigations you were involved in with the</p>
<p style="text-align: right;">23</p> <p>1 the question.</p> <p>2 THE WITNESS: Can you repeat the</p> <p>3 question.</p> <p>4 MR. TAREN: Can you read it back.</p> <p>5 (Whereupon, the record was</p> <p>6 read as requested.)</p> <p>7 THE WITNESS: I don't recall if I</p> <p>8 have or haven't.</p> <p>9 BY MR. TAREN:</p> <p>10 Q. Do you know who Officer Keith</p> <p>11 Herrera is?</p> <p>12 A. I do.</p> <p>13 Q. Did you know Keith Herrera?</p> <p>14 A. I did not personally know him.</p> <p>15 Q. And did you understand that he was</p> <p>16 an officer who wore a wire in the</p> <p>17 investigation of his partner?</p> <p>18 A. That's what I read.</p> <p>19 Q. Have you ever had any discussions</p> <p>20 with anyone about Officer Herrera?</p> <p>21 A. Not that I can recall.</p> <p>22 Q. Are there any other blog spots or</p> <p>23 blogs that you are aware of that deal with</p> <p>24 the Chicago Police Department?</p>	<p style="text-align: right;">25</p> <p>1 Chicago Police Department?</p> <p>2 A. I have a calendar on my phone that</p> <p>3 shows meetings I had with my attorneys, City</p> <p>4 attorneys, depositions and so forth.</p> <p>5 Q. Now, how long have you kept your</p> <p>6 calendar on your phone?</p> <p>7 A. On my personal phone, I have kept</p> <p>8 a calendar since I have opened the account,</p> <p>9 which is approximately two to three years</p> <p>10 ago.</p> <p>11 Prior to that, I had a</p> <p>12 department-issued BlackBerry, but I don't</p> <p>13 recall if I utilized that calendar function</p> <p>14 on the BlackBerry or not. I haven't had it</p> <p>15 in a couple of years.</p> <p>16 Q. When was the last time that you</p> <p>17 had the department-issued BlackBerry?</p> <p>18 A. Some point prior to April of 2014.</p> <p>19 Q. In calendar year 2010, did you</p> <p>20 have a smart phone?</p> <p>21 A. I had a department-issued</p> <p>22 BlackBerry.</p> <p>23 Q. And is it your testimony that they</p> <p>24 took it back at some point?</p>

<p style="text-align: right;">26</p> <p>1 A. I turned it in, yes.</p> <p>2 Q. And that was around April of 2014?</p> <p>3 A. Yes.</p> <p>4 Q. When you turned it in, do you know</p> <p>5 what the policy is of the police department</p> <p>6 with regard to copying anything that's on</p> <p>7 your BlackBerry?</p> <p>8 A. I don't know what their policy is.</p> <p>9 Q. You have never seen an image of</p> <p>10 the BlackBerry that you used at that time?</p> <p>11 By "image," I mean just a copy of anything.</p> <p>12 A. I tried to save photos, personal</p> <p>13 photos, and I believe they trans -- someone</p> <p>14 assisted me in transferring my contacts.</p> <p>15 Q. Did you transfer anything else,</p> <p>16 such as emails or texts?</p> <p>17 A. I don't recall transferring texts.</p> <p>18 And as for the emails, I kept the same email</p> <p>19 account, so I didn't transfer, but they</p> <p>20 still would be under that same email</p> <p>21 account.</p> <p>22 Q. I understand. Did you ever go to</p> <p>23 Wright Junior College?</p> <p>24 A. Are you asking if I attended as a</p>	<p style="text-align: right;">28</p> <p>1 lawsuit.</p> <p>2 Q. As a Plaintiff?</p> <p>3 A. Yes.</p> <p>4 Q. What does that involve?</p> <p>5 A. Overtime.</p> <p>6 Q. When you say "overtime," what's</p> <p>7 the issue?</p> <p>8 A. The issue is, as I understand it,</p> <p>9 is a number of officers, supervisors, within</p> <p>10 the Bureau of Organized Crime had been</p> <p>11 working during off-duty hours and not being</p> <p>12 compensated for it.</p> <p>13 Q. Who is representing the Plaintiff</p> <p>14 in the Jeff Allen case?</p> <p>15 A. I believe the attorney's name is</p> <p>16 Paul Geiger.</p> <p>17 Q. And do you have a copy of the</p> <p>18 deposition that you gave in that case, or</p> <p>19 would Mr. Geiger have it?</p> <p>20 A. Mr. Geiger should have it.</p> <p>21 Q. And those are the only two</p> <p>22 depositions in a civil matter that you have</p> <p>23 given; is that correct?</p> <p>24 A. That's all that I can recall.</p>
<p style="text-align: right;">27</p> <p>1 student?</p> <p>2 Q. Yes.</p> <p>3 A. No.</p> <p>4 Q. At the beginning of this</p> <p>5 deposition, you acknowledged that you have</p> <p>6 given other depositions in the past. Can</p> <p>7 you tell me how many depositions you have</p> <p>8 given prior to today's?</p> <p>9 A. I recall two.</p> <p>10 Q. When was the last time?</p> <p>11 A. Within the last few months.</p> <p>12 Q. Was that the deposition in the</p> <p>13 Hernandez case in February?</p> <p>14 A. Yes.</p> <p>15 Q. And how about before that, what</p> <p>16 was the other deposition?</p> <p>17 A. I believe it was the year prior,</p> <p>18 some time in 2014.</p> <p>19 Q. What case was that involved in?</p> <p>20 A. I believe it's Jeff Allen versus</p> <p>21 City of Chicago.</p> <p>22 Q. Were you a party or a witness in</p> <p>23 that case?</p> <p>24 A. I am part of a class action</p>	<p style="text-align: right;">29</p> <p>1 Q. Were there any depositions given</p> <p>2 in the Sperling, the Joseph Sperling matter?</p> <p>3 A. I was not deposed.</p> <p>4 Q. And have you testified under oath</p> <p>5 in a trial or court proceeding in the past?</p> <p>6 A. Yes.</p> <p>7 Q. On about how many occasions?</p> <p>8 A. I would say well over a hundred.</p> <p>9 Q. And were these all matters that</p> <p>10 were during the scope of your employment as</p> <p>11 a Chicago police officer?</p> <p>12 A. I believe so.</p> <p>13 Q. Did you ever testify in a civil</p> <p>14 action?</p> <p>15 A. I don't recall ever testifying in</p> <p>16 a civil action other than the Anthony</p> <p>17 Hernandez case.</p> <p>18 Q. Can you tell me what you did to</p> <p>19 prepare for today's deposition?</p> <p>20 A. I don't recall specifically doing</p> <p>21 anything to prepare for today's deposition.</p> <p>22 Q. Did you meet with counsel?</p> <p>23 A. I did meet with counsel.</p> <p>24 Q. So that's something, at least?</p>

<p style="text-align: right;">30</p> <p>1 A. Okay.</p> <p>2 Q. And by "counsel," we are talking</p> <p>3 about Mr. King?</p> <p>4 A. Yes.</p> <p>5 Q. And did you review any documents?</p> <p>6 A. I did.</p> <p>7 Q. Can you tell me what you reviewed?</p> <p>8 A. I reviewed a confidential</p> <p>9 informant packet, and I am not certain if</p> <p>10 there were additional items presented to me.</p> <p>11 I don't recall any additional items.</p> <p>12 Q. Did you review the complaint in</p> <p>13 this case?</p> <p>14 A. Not at my meeting with my</p> <p>15 attorney.</p> <p>16 Q. Some other time you did?</p> <p>17 A. Yes.</p> <p>18 Q. When?</p> <p>19 A. Most likely immediately after</p> <p>20 finding out I was named in the case.</p> <p>21 Q. You understand you are not</p> <p>22 currently a party in this case?</p> <p>23 A. Yes.</p> <p>24 Q. And have you prior to today's</p>	<p style="text-align: right;">32</p> <p>1 Q. Anyone else?</p> <p>2 A. No.</p> <p>3 Q. Not Danny?</p> <p>4 A. Not that I recall, no.</p> <p>5 Q. We talked about documents that you</p> <p>6 reviewed. Have you had any conversations</p> <p>7 with anyone who was previously deposed in</p> <p>8 this case about the case?</p> <p>9 MR. KING: I'll just object to the</p> <p>10 form and the timing. About the depositions</p> <p>11 after their depositions?</p> <p>12 MR. TAREN: Correct. Yes.</p> <p>13 THE WITNESS: Not that I know of,</p> <p>14 but I don't know who is being deposed in</p> <p>15 this case, and I don't know who has been</p> <p>16 deposed in this case necessarily.</p> <p>17 BY MR. TAREN:</p> <p>18 Q. So what my question was focusing</p> <p>19 on is whether anyone ever told you, I gave a</p> <p>20 deposition and here is what happened with</p> <p>21 regard to the Spalding versus City case?</p> <p>22 A. No.</p> <p>23 Q. Can you take me through your job</p> <p>24 history at the Chicago Police Department. I</p>
<p style="text-align: right;">31</p> <p>1 deposition, have you reviewed any testimony;</p> <p>2 that is, transcripts of other depositions or</p> <p>3 excerpts from transcripts of other</p> <p>4 depositions taken already in this case?</p> <p>5 A. I have been asked questions</p> <p>6 regarding other depositions that I</p> <p>7 understand that have been taken for this</p> <p>8 case.</p> <p>9 Q. Okay.</p> <p>10 A. I have not personally handled</p> <p>11 depositions, but I have been read to from</p> <p>12 depositions.</p> <p>13 Q. Okay. Was that from counsel or</p> <p>14 from someone else?</p> <p>15 A. From counsel.</p> <p>16 Q. By the way, just so it's clear,</p> <p>17 are you represented by Mr. King in this</p> <p>18 deposition --</p> <p>19 A. Yes.</p> <p>20 Q. -- is he your attorney? All</p> <p>21 right.</p> <p>22 Do you recall whose</p> <p>23 depositions you heard excerpts from?</p> <p>24 A. Shannon Spalding.</p>	<p style="text-align: right;">33</p> <p>1 know you have been there for a while, but</p> <p>2 what assignments or what departments you</p> <p>3 have been in?</p> <p>4 A. When I first became a police</p> <p>5 officer, I was assigned to the 24th</p> <p>6 district, Rogers Park. I was assigned there</p> <p>7 for six years. Then I was promoted to</p> <p>8 sergeant.</p> <p>9 Q. What year was that?</p> <p>10 A. 2004.</p> <p>11 Q. Okay.</p> <p>12 A. I was assigned to the 17th</p> <p>13 district, and then detailed to the 11th</p> <p>14 district.</p> <p>15 Q. For how long?</p> <p>16 A. Just a matter of a few months,</p> <p>17 maybe four months in the 11th district.</p> <p>18 Q. All right. Then what?</p> <p>19 A. I returned back to the 17th</p> <p>20 district, and then I was assigned to the</p> <p>21 Area 3 Deputy Chief's Office as an</p> <p>22 administrative sergeant.</p> <p>23 Q. When was that?</p> <p>24 A. Approximately 2006.</p>

<p style="text-align: right;">34</p> <p>1 Q. Who was the deputy that you were 2 assigned to at that time? 3 A. Lee Epplen. 4 Q. How long were you in that 5 position? 6 A. Approximately six months. 7 Q. Then what? 8 A. From there I went to Narcotics. 9 Q. For what period of time? 10 A. From -- I believe it was either 11 2006 or 2007. I am currently assigned there 12 now. But like I said, for the last year, I 13 have been detailed to Alternate Response. 14 Q. So with regard to the assignment 15 as opposed to being detailed, you have been 16 assigned to Narcotics then continuously from 17 2006 or '07 until the present; is that 18 correct? 19 A. Yes. 20 Q. All right. During that period of 21 time, tell me who you reported to. I know 22 it changed but -- 23 A. Yes. I will give you the 24 lieutenants I remember being there.</p>	<p style="text-align: right;">36</p> <p>1 Q. And would that be the same for 2 Danny Echeverria? 3 A. Yes. 4 Q. Did they report to you for some 5 period of time? 6 A. I was never assigned as their 7 supervisor. 8 Q. Were you familiar with the work 9 that they did in Narcotics? 10 A. Nothing specific. I knew they 11 were in Narcotics. 12 Q. By the way, had you known anything 13 about either of them before they came to 14 Narcotics, either by reputation or personal 15 encounter? 16 A. I don't recall anything. 17 Q. Is Narcotics considered an elite 18 unit to be in? 19 MR. KING: I'd just object to the 20 lack of foundation, but you can give your 21 opinion. 22 THE WITNESS: I know I wanted to 23 be there. I don't know if I ever referred 24 to it as elite.</p>
<p style="text-align: right;">35</p> <p>1 Q. That will help. 2 A. Peter Piazza, Bill Dunn, Bill 3 Kilroy, Jose Ramirez, Susan Schmidt, Eric 4 Carter, Deputy Chief Steve Caluris. And at 5 this point, I can't recall if there were 6 others. 7 Q. Who are the commanders that you 8 worked under? 9 A. Commander O'Grady. 10 Q. For that whole period of time? 11 A. No. I went to Narcotics under 12 Deputy Chief Caluris. 13 Q. When did you start working under 14 Commander O'Grady? 15 A. I don't recall when he arrived in 16 Narcotics, but I know I had been in 17 Narcotics at least a year prior to him 18 becoming the new commander. 19 Q. So when did you first encounter 20 Shannon Spalding? We will take them one at 21 a time as opposed to Shannon and Danny. 22 A. I don't recall exactly when I 23 first met Shannon Spalding. I believe it 24 was during my time in Narcotics.</p>	<p style="text-align: right;">37</p> <p>1 BY MR. TAREN: 2 Q. So why don't we just focus on you 3 then. Why did you want to be there? 4 A. I personally wanted to be there 5 because we weren't necessarily tied to a 6 district, to radio calls. We had more 7 freedom to chase bigger criminals, make 8 bigger cases. 9 Q. Was it a difficult assignment for 10 you to get? 11 A. I applied. I filled out an 12 application, and I was interviewed, and I 13 received the position as a sergeant. 14 Q. Do you know whether it is a 15 difficult position for an officer, a patrol 16 officer, to get into the Narcotics Division? 17 MR. KING: Same objection to the 18 lack of foundation. But if you know, you 19 can answer. 20 THE WITNESS: People are brought 21 to Narcotics for all different reasons. 22 Some people apply because they think they 23 have great numbers, and they would be an 24 asset to the unit.</p>

<p style="text-align: right;">38</p> <p>1 Some people, it's my</p> <p>2 understanding, have been asked to go to</p> <p>3 Narcotics because of what they do on the</p> <p>4 street. So I think it depends on the</p> <p>5 individual officer. So I can't speak for</p> <p>6 everyone that's in Narcotics.</p> <p>7 There is competition to get in</p> <p>8 Narcotics, and I would say it's difficult</p> <p>9 for some people to get into Narcotics, yes.</p> <p>10 BY MR. TAREN:</p> <p>11 Q. Is it the kind of thing that when</p> <p>12 people get in, they tend to stay for long</p> <p>13 periods of time?</p> <p>14 A. I can speak for myself. I</p> <p>15 intended to stay for a long period of time.</p> <p>16 Q. I am asking because, I assume,</p> <p>17 that you have talked with other sergeants</p> <p>18 and other patrol officers about their</p> <p>19 experiences in Narcotics, and wondering</p> <p>20 whether you have arrived at a conclusion</p> <p>21 that, you know, this is the kind of division</p> <p>22 people don't pass-through, but come in to</p> <p>23 make a career of?</p> <p>24 A. I would say that the majority of</p>	<p style="text-align: right;">40</p> <p>1 definitely can have an opportunity to work a</p> <p>2 lot of overtime.</p> <p>3 Q. During your time in Narcotics,</p> <p>4 have you ever been involved in any of the</p> <p>5 decision-making with regard to giving</p> <p>6 assignments to patrol officers to come in;</p> <p>7 that is, either the interview process or</p> <p>8 anything of that sort?</p> <p>9 Do you understand the</p> <p>10 question? That's a terrible question.</p> <p>11 MR. KING: Come into the Narcotics</p> <p>12 Division?</p> <p>13 MR. TAREN: Right.</p> <p>14 BY MR. TAREN:</p> <p>15 Q. Have you been involved in the</p> <p>16 selection process in any way, either as a</p> <p>17 decision-maker or giving input, into the</p> <p>18 decisions to allow someone to come into</p> <p>19 Narcotics?</p> <p>20 A. Yes.</p> <p>21 Q. Tell me what roles you have played</p> <p>22 in that regard? Have you been a</p> <p>23 decision-maker?</p> <p>24 A. I cannot decide if someone comes</p>
<p style="text-align: right;">39</p> <p>1 the people I have spoken to would like to</p> <p>2 stay in Narcotics.</p> <p>3 Q. Is one of the perks of being in</p> <p>4 Narcotics the fact that because of the</p> <p>5 nature of the work, you have opportunities</p> <p>6 to work a lot of overtime?</p> <p>7 A. Depends on which team you are on.</p> <p>8 My team, we worked a lot of overtime. Some</p> <p>9 teams choose not to work a lot of overtime.</p> <p>10 Q. What is it about the teams that</p> <p>11 would determine whether there was a lot of</p> <p>12 overtime available or not?</p> <p>13 A. I believe it would be up to the</p> <p>14 supervisor and the people on the team. Some</p> <p>15 people have family obligations. Some</p> <p>16 supervisors have family obligations that</p> <p>17 don't allow for them to work a lot of</p> <p>18 overtime.</p> <p>19 Q. So when I say, "the opportunity,"</p> <p>20 do I understand then that if you're</p> <p>21 ambitious and you want to work overtime,</p> <p>22 that the Narcotics Division gives you that</p> <p>23 opportunity?</p> <p>24 A. Depending on your sergeant, you</p>	<p style="text-align: right;">41</p> <p>1 into Narcotics or leaves Narcotics. I have</p> <p>2 been part of the interview process, where a</p> <p>3 candidate has been interviewed by two</p> <p>4 sergeants and a lieutenant, and then we</p> <p>5 discuss the pluses and negatives for each</p> <p>6 candidate. And we complete an interview</p> <p>7 packet for that candidate with their</p> <p>8 responses to questions, and we put our own</p> <p>9 personal recommendations in those packets,</p> <p>10 and they are submitted up the chain of</p> <p>11 command.</p> <p>12 Q. And then someone above you makes</p> <p>13 the final decision?</p> <p>14 A. Yes.</p> <p>15 Q. Tell me what factors you consider</p> <p>16 when determining assignments to Narcotics --</p> <p>17 when interviewing potential applicants?</p> <p>18 A. I would consider their arrest</p> <p>19 numbers, complaints against them. I would</p> <p>20 consider attendance. I would consider any</p> <p>21 additional skills.</p> <p>22 Some people on their</p> <p>23 application list language skills, which</p> <p>24 would be beneficial. Previous experience in</p>

<p style="text-align: right;">42</p> <p>1 making undercover narcotic purchases with</p> <p>2 either other departments, or within their</p> <p>3 unit of assignment. So items of that</p> <p>4 nature.</p> <p>5 Q. Anything else?</p> <p>6 A. To be honest with you, I would</p> <p>7 have to look at everything that would be</p> <p>8 presented to me, and every -- I would</p> <p>9 consider everything that's presented to me.</p> <p>10 Q. Were you involved in any way in</p> <p>11 the application process for Danny Echeverria</p> <p>12 or Shannon to come into Narcotics?</p> <p>13 A. No.</p> <p>14 Q. Tell me between 2007 and 2010 what</p> <p>15 kind of working relationship did you have</p> <p>16 with either Danny or Shannon, if any?</p> <p>17 A. I was never -- that I recall, they</p> <p>18 were never assigned to a team that I was</p> <p>19 responsible for. I don't recall any</p> <p>20 specific instances where I was watching them</p> <p>21 or their team while their supervisor was</p> <p>22 gone.</p> <p>23 I do know in 2010 -- I believe</p> <p>24 it was 2010, Officers Spalding and</p>	<p style="text-align: right;">44</p> <p>1 remember every member that was on my team.</p> <p>2 Q. If I gave you some names, can you</p> <p>3 tell me if it refreshes your recollection?</p> <p>4 A. Sure.</p> <p>5 Q. Craig; was Craig on your team?</p> <p>6 A. He very well could have been on my</p> <p>7 team.</p> <p>8 Q. I am saying August of 2010.</p> <p>9 MR. KING: Don't guess.</p> <p>10 BY MR. TAREN:</p> <p>11 Q. What about Marco?</p> <p>12 A. Yes, he could have been on my team</p> <p>13 at that time.</p> <p>14 Q. Mickey?</p> <p>15 A. He could have been on my team at</p> <p>16 that time.</p> <p>17 Q. Do you think that rounds up your</p> <p>18 team, or is there somebody that we don't</p> <p>19 know about?</p> <p>20 A. I typically had six to ten people</p> <p>21 on my team at any time. To be honest with</p> <p>22 you, that was five years ago, approximately.</p> <p>23 Q. Yes.</p> <p>24 A. And there was a lot of turnover.</p>
<p style="text-align: right;">43</p> <p>1 Echeverria worked with my team because they</p> <p>2 had information that they wanted to act</p> <p>3 upon, and it was my understanding that they</p> <p>4 needed assistance through the Narcotics</p> <p>5 Division.</p> <p>6 Q. When you say they worked with your</p> <p>7 team at that time, was that at a time where</p> <p>8 they were working within Narcotics or --</p> <p>9 A. I believe at the time, they were</p> <p>10 -- they were detailed to Detached Services.</p> <p>11 Q. Who was on your team at that time?</p> <p>12 A. My team has changed dramatically</p> <p>13 over the period of seven years, so I can say</p> <p>14 I know that Anthony Hernandez was on the</p> <p>15 team at the time. Vince Morgan was on the</p> <p>16 team at the time. I am trying to think who</p> <p>17 else. I would be guessing if I gave out --</p> <p>18 Q. Well, let me focus because you</p> <p>19 mentioned that you had looked at the</p> <p>20 confidential informant packet, and I am</p> <p>21 going to be showing you that as well. But</p> <p>22 at that period of time in, August of 2010,</p> <p>23 do you recall who was on your team?</p> <p>24 A. Off the top of my head, I don't</p>	<p style="text-align: right;">45</p> <p>1 So without reviewing my, you know, time</p> <p>2 sheets, I wouldn't know exactly who was</p> <p>3 there five years ago on that date.</p> <p>4 Q. Did you become aware when Danny</p> <p>5 and Shannon were first detailed to Detached</p> <p>6 Services?</p> <p>7 A. I don't recall when I became aware</p> <p>8 that they were detailed to Detached</p> <p>9 Services.</p> <p>10 Q. Am I correct in saying it was well</p> <p>11 before August of 2010?</p> <p>12 A. To be honest with you, I don't</p> <p>13 know when they were detailed there.</p> <p>14 Q. At some point, did you find out</p> <p>15 from any source what Danny and Shannon's</p> <p>16 assignment was at Detached Services, and who</p> <p>17 they were working with?</p> <p>18 A. At one point, myself and my team</p> <p>19 were assigned to the -- to Area 1, and</p> <p>20 that's where we were supposed to generate</p> <p>21 the majority of our activity. One of the</p> <p>22 districts within Area 1 is the 2nd district.</p> <p>23 This was one of our areas of responsibility.</p> <p>24 I remember seeing Officers</p>

<p style="text-align: right;">46</p> <p>1 Spalding and Echeverria driving around in 2 the 2nd district, and speaking to them. I 3 knew them from -- knew of them from 4 Narcotics, and I am trying to recall if 5 that's when I found out they were detailed 6 to Detached Services because I had spoken 7 with them when I had seen them in the 8 district. 9 I believe Officer Spalding 10 told me that they were working on dirty cops 11 in the 2nd district, but that was the extent 12 of that. 13 Q. Any idea when that was? 14 A. All I could say is it was prior -- 15 I believe it would be prior to August 16 of 2010. I don't recall how many months or 17 weeks before. 18 Q. Did that surprise you when she 19 allegedly told you that she was working on 20 dirty cops? 21 A. No. 22 Q. Why not? 23 A. Well, when I realized that she was 24 working for Detached Services, I am not</p>	<p style="text-align: right;">48</p> <p>1 after. 2 MR. KING: At some point, at any 3 point? 4 MR. TAREN: At some point 5 afterwards because then I am going to ask 6 you when you first learned that. 7 MR. KING: Can you rephrase the 8 question or repeat it. 9 BY MR. TAREN: 10 Q. At some point, did you learn that 11 Danny and Shannon were working with the FBI 12 on some investigation? 13 A. Yes. 14 Q. When was the first time you 15 learned that? 16 A. When I read about it in the media. 17 Q. And that was associated with 18 publicity around the filing of their 19 lawsuit, is that your testimony? 20 A. I don't know when it was in 21 comparison to the filing of their lawsuit. 22 Q. But you say when you read about it 23 in the media. Where? In the newspaper? 24 A. In the newspaper.</p>
<p style="text-align: right;">47</p> <p>1 exactly certain what they do or what they 2 don't do, but they are doing something above 3 and beyond Narcotics is my assumption. 4 So it wouldn't surprise me 5 that her and her partner would be working on 6 dirty cops. 7 Q. Had you prior to that conversation 8 that you say you had, had you heard from any 9 other source that either Danny or Shannon 10 were working on dirty cops at that time? 11 A. Not that I recall. 12 Q. Had you heard from any source 13 prior to that time that they were working 14 with the FBI on some kind of investigation? 15 A. Not that I recall. 16 Q. Now that question was: Prior to 17 that conversation, at some point, did you 18 learn that Danny and Shannon were detailed 19 to Detached Services and were working with 20 the FBI? 21 MR. KING: I'll object to the 22 form. He answered for before, so now you 23 are saying after. 24 MR. TAREN: Now I am just asking</p>	<p style="text-align: right;">49</p> <p>1 Q. And prior to that time, had you 2 heard from any source that Danny and Shannon 3 had been working along with the FBI on some 4 investigation? 5 A. Prior to that, I don't recall ever 6 hearing that they were working with the FBI. 7 Q. Before whatever media that you 8 saw, had you heard from any source what, in 9 fact, other than what you just said about 10 this conversation with -- you said you had 11 with Shannon, what, in fact, they were 12 working on in Detached Services? 13 A. Other than my conversation with 14 her, I wasn't aware of what they were 15 working on in Detached Services. 16 Q. So you never heard anyone in 17 Narcotics -- strike that. 18 Did you ever hear anyone in 19 Narcotics talk about what Danny and Shannon 20 were doing in Detached Services? 21 A. I don't recall ever hearing 22 anything regarding what they were doing in 23 Detached Services from anyone other than 24 Shannon Spalding.</p>

<p style="text-align: right;">50</p> <p>1 Q. At some point, did you become</p> <p>2 aware that Danny and Shannon were involved</p> <p>3 in an investigation of Officers Watts and</p> <p>4 Mohammed?</p> <p>5 A. Yes.</p> <p>6 Q. When did you first become aware of</p> <p>7 that?</p> <p>8 A. When it was presented in the</p> <p>9 media.</p> <p>10 Q. Now you talked about your</p> <p>11 conversation with Shannon. Did you ever</p> <p>12 have a conversation with Danny Echeverria</p> <p>13 about what they were doing in Detached</p> <p>14 Services or in the 2nd district?</p> <p>15 A. Not that I recall. I don't recall</p> <p>16 if Mr. Echeverria was present when Shannon</p> <p>17 and I had spoke in the 2nd district.</p> <p>18 Q. It's possible he was present</p> <p>19 during that time?</p> <p>20 A. Yes.</p> <p>21 Q. Was anyone else with him? Was</p> <p>22 Officer Hernandez with him at that time?</p> <p>23 A. I wouldn't think so because</p> <p>24 Officer Hernandez was one of my team</p>	<p style="text-align: right;">52</p> <p>1 but...</p> <p>2 THE WITNESS: I have heard people</p> <p>3 talk about Shannon in Narcotics prior to</p> <p>4 that being released in the media, yes.</p> <p>5 BY MR. TAREN:</p> <p>6 Q. Who did you hear talk about</p> <p>7 Shannon?</p> <p>8 A. He is now Captain Navarro, Kevin</p> <p>9 Navarro.</p> <p>10 Q. When did you hear him talk about</p> <p>11 Shannon?</p> <p>12 A. It could have been maybe 2008,</p> <p>13 2009.</p> <p>14 Q. What was the subject matter that</p> <p>15 you recall?</p> <p>16 A. He asked me if I knew Shannon</p> <p>17 Spalding, and I said I knew of her. And he</p> <p>18 asked me if I would handle a CR number, an</p> <p>19 investigation, into an allegation of</p> <p>20 insubordination on her part.</p> <p>21 Q. Okay.</p> <p>22 A. And I said, I was willing to</p> <p>23 accept the investigation.</p> <p>24 Q. Did you do that?</p>
<p style="text-align: right;">51</p> <p>1 members, and shouldn't have been with them.</p> <p>2 Q. Is it your testimony that you have</p> <p>3 never heard -- prior to the publicity of the</p> <p>4 filing of their lawsuit, I believe we are</p> <p>5 talking November of 2012, is it your</p> <p>6 testimony that you never heard anyone in</p> <p>7 Narcotics, from patrol officers up to</p> <p>8 commander, talk about Danny and Shannon?</p> <p>9 A. Again, I don't know when the media</p> <p>10 reported on this versus when they filed</p> <p>11 their lawsuit.</p> <p>12 Q. So I am -- the time period I am</p> <p>13 placing is prior to you hearing from the</p> <p>14 media, whenever that was, prior to you</p> <p>15 hearing from the media, is it your testimony</p> <p>16 that no one -- you never heard anyone in</p> <p>17 Narcotics talk about Danny or Shannon?</p> <p>18 MR. KING: I'd just object to the</p> <p>19 form.</p> <p>20 About anything about them?</p> <p>21 MR. TAREN: About anything, and</p> <p>22 then I will narrow it down.</p> <p>23 MR. KING: That's a different</p> <p>24 question than what he's been testifying to</p>	<p style="text-align: right;">53</p> <p>1 A. Yes.</p> <p>2 Q. What did that investigation</p> <p>3 involve? What was the CR about?</p> <p>4 A. If I recall correctly, it had</p> <p>5 something to do with Officer Spalding on the</p> <p>6 medical and not appearing in court, and I</p> <p>7 conducted an investigation into the</p> <p>8 allegations.</p> <p>9 And if I recall correctly, my</p> <p>10 investigation led me to put a recommendation</p> <p>11 to exonerate it forward.</p> <p>12 Q. Are there any other instances that</p> <p>13 you recall having a discussion with someone</p> <p>14 from Narcotics about Shannon?</p> <p>15 A. Are you talking about prior to</p> <p>16 this?</p> <p>17 Q. Yes, prior to the media exposure.</p> <p>18 A. I can't recall any specific</p> <p>19 conversations, but I do know -- I believe</p> <p>20 her boyfriend is Tony Hernandez, and he was</p> <p>21 on my team, so I may have spoken to him</p> <p>22 about her, but I don't recall specific</p> <p>23 conversations.</p> <p>24 Q. That's my next question.</p>

<p style="text-align: right;">54</p> <p>1 A. Okay.</p> <p>2 Q. You have no recollection of a</p> <p>3 specific conversation with Mr. Hernandez</p> <p>4 about Shannon; is that correct?</p> <p>5 A. I don't recall anything</p> <p>6 specifically at this point.</p> <p>7 Q. But it's likely that you had</p> <p>8 conversations at times with him that may</p> <p>9 have mentioned --</p> <p>10 A. Absolutely.</p> <p>11 Q. -- Shannon?</p> <p>12 And you were aware that they</p> <p>13 were in a boyfriend-girlfriend relationship,</p> <p>14 correct?</p> <p>15 A. Yes.</p> <p>16 Q. Let's talk about the Cooperating</p> <p>17 Individual Requests. Could you mark this as</p> <p>18 Padar Exhibit 1.</p> <p>19 (Whereupon, Padar Deposition</p> <p>20 Exhibit No. 1 was marked for</p> <p>21 identification.)</p> <p>22 BY MR. TAREN:</p> <p>23 Q. I am showing you what we have</p> <p>24 marked as Padar Deposition Exhibit Number 1.</p>	<p style="text-align: right;">56</p> <p>1 Q. Where were you when Shannon handed</p> <p>2 this to you?</p> <p>3 A. I believe I was at Homan Square.</p> <p>4 Q. Did you have a conversation with</p> <p>5 her at that time about the purpose of this?</p> <p>6 A. I don't recall any specific</p> <p>7 conversation, but I would assume that if she</p> <p>8 handed this to me for approval that we had</p> <p>9 conversation about it.</p> <p>10 Q. Was this informant familiar to</p> <p>11 you?</p> <p>12 A. Not that I'm aware of, and I don't</p> <p>13 recognize him on today's date.</p> <p>14 Q. And is it your testimony that you</p> <p>15 don't recall any discussion about what the</p> <p>16 investigation was that Shannon asked to have</p> <p>17 David Holmes registered for?</p> <p>18 A. Correct.</p> <p>19 Q. Do you have any recollection of</p> <p>20 being told that David Holmes was cooperating</p> <p>21 with the Feds in any way in any kind of</p> <p>22 investigation?</p> <p>23 A. I don't recall that.</p> <p>24 Q. How do you go about handing this</p>
<p style="text-align: right;">55</p> <p>1 Take your time, take a look at it, and then</p> <p>2 tell me if you recognize that?</p> <p>3 A. I do recognize it.</p> <p>4 Q. And what is that?</p> <p>5 A. It's a request to register a</p> <p>6 cooperating individual.</p> <p>7 Q. How did this first come to your</p> <p>8 attention?</p> <p>9 A. If I recall correctly, Officer</p> <p>10 Spalding handed it to me to review and</p> <p>11 approve and present up my chain of command</p> <p>12 for approval.</p> <p>13 Q. You are going to have to educate</p> <p>14 me on what the process is for getting</p> <p>15 approval of a cooperating individual request</p> <p>16 at that time. What's the process? What was</p> <p>17 the process in August of 2010?</p> <p>18 A. Well, the process for getting the</p> <p>19 packet approved is to present it to a</p> <p>20 supervisor, have the supervisor review it</p> <p>21 for -- to make sure it's complete, and</p> <p>22 accurate, and then send it up the chain to</p> <p>23 have a lieutenant review it and have a</p> <p>24 commander review it and approve it.</p>	<p style="text-align: right;">57</p> <p>1 up the chain of command? Do you do this by</p> <p>2 oral presentation to your lieutenant, or do</p> <p>3 you submit a form or a memo or anything of</p> <p>4 that sort?</p> <p>5 A. It's been my practice in the past</p> <p>6 to present it in person to the next step in</p> <p>7 my chain of command, which would be the</p> <p>8 lieutenant.</p> <p>9 In this instance, to be honest</p> <p>10 with you, I don't recall if I presented it</p> <p>11 in person or not. I very well may have.</p> <p>12 Q. Who is the lieutenant that you</p> <p>13 would present it to?</p> <p>14 A. At that time, I am not -- I don't</p> <p>15 recall which lieutenant I presented it to.</p> <p>16 I don't recognize the -- I can't make out</p> <p>17 the signature on here.</p> <p>18 Q. Do you recall anything about the</p> <p>19 presentation that you made to the lieutenant</p> <p>20 to seek approval of this cooperating</p> <p>21 individual?</p> <p>22 A. I don't.</p> <p>23 Q. Was anyone else with you at the</p> <p>24 time that you made your presentation?</p>

15 (Pages 54 to 57)

<p style="text-align: right;">58</p> <p>1 A. I don't recall.</p> <p>2 Q. When you make a presentation like</p> <p>3 that, do you take notes or anything?</p> <p>4 A. No.</p> <p>5 Q. Do you submit any to/froms or</p> <p>6 memos?</p> <p>7 A. No, I don't recall ever that.</p> <p>8 Q. Do you recall what the result was</p> <p>9 of your presentation with regard to approval</p> <p>10 of David Holmes as a CI? Was it approved?</p> <p>11 MR. KING: I just want to object</p> <p>12 to the word "presentation." I think he</p> <p>13 testified he can't recall whether he did it</p> <p>14 in person or exactly how he did it in this</p> <p>15 instance. Assuming that's what we mean when</p> <p>16 we say "presentation," that's fine.</p> <p>17 THE WITNESS: I would assume by</p> <p>18 looking at this document that it was</p> <p>19 approved by a lieutenant. I don't recall if</p> <p>20 it was in person or how it was presented.</p> <p>21 BY MR. TAREN:</p> <p>22 Q. Is your signature on this</p> <p>23 document?</p> <p>24 A. Yes, it is.</p>	<p style="text-align: right;">60</p> <p>1 who I believe is now a commander. I can't</p> <p>2 think of his name, but he is not included on</p> <p>3 your list, but I don't -- I don't recall his</p> <p>4 name. He was there for a very brief period</p> <p>5 of time, and then he became the commander of</p> <p>6 the 25th district.</p> <p>7 Q. After this presentation to the</p> <p>8 lieutenant, what was the process after that</p> <p>9 with regard to this request for approval of</p> <p>10 the cooperating individual?</p> <p>11 A. The process would require that</p> <p>12 this be forwarded to the commander.</p> <p>13 Q. And that would have been O'Grady</p> <p>14 at the time, James O'Grady; is that correct?</p> <p>15 A. Yes.</p> <p>16 Q. Did you forward this to James</p> <p>17 O'Grady?</p> <p>18 A. I don't recall if I did or the</p> <p>19 lieutenant did.</p> <p>20 Q. How would we determine who did?</p> <p>21 Is there some document that would indicate</p> <p>22 who made the presentation -- who presented</p> <p>23 it to Commander O'Grady?</p> <p>24 A. If there is, I am not aware of a</p>
<p style="text-align: right;">59</p> <p>1 Q. And that's the signature under the</p> <p>2 word "sergeant" with Star Number 1210?</p> <p>3 A. Yes.</p> <p>4 Q. And does that indicate that you</p> <p>5 signed this on August 17th of 2010?</p> <p>6 A. Yes.</p> <p>7 Q. I know you alluded. I am pretty</p> <p>8 sure I know what the answer is going to be,</p> <p>9 but I have to ask you whose signature is</p> <p>10 right underneath yours?</p> <p>11 A. I don't know.</p> <p>12 Q. And are there any lieutenants</p> <p>13 other than the names that you gave me</p> <p>14 earlier in this deposition that would have</p> <p>15 been authorized to sign this approval?</p> <p>16 So my question, is it one of</p> <p>17 those guys, the lieutenants whose names you</p> <p>18 recounted, or is it someone else?</p> <p>19 A. It could have been someone else.</p> <p>20 I don't recall every lieutenant that's been</p> <p>21 there over the period of time that I was</p> <p>22 there. I don't recall what lieutenants were</p> <p>23 assigned to Narcotics on August 17, 2010.</p> <p>24 I know there is a lieutenant</p>	<p style="text-align: right;">61</p> <p>1 document on who handed this to Mr. O'Grady.</p> <p>2 Q. Is there any form that you are</p> <p>3 required to fill out when you are presenting</p> <p>4 this up the chain of command that's not</p> <p>5 contained in Padar Exhibit 1?</p> <p>6 A. I have to say I don't know.</p> <p>7 Q. Do you have recollection of having</p> <p>8 any contact with James O'Grady concerning</p> <p>9 the request of Shannon Spalding and Danny</p> <p>10 Echeverria to register this informant, David</p> <p>11 Holmes?</p> <p>12 A. I did have communication with him.</p> <p>13 Q. And what was the nature of that</p> <p>14 communication?</p> <p>15 A. I remember Commander O'Grady</p> <p>16 asking me why I signed it. I remember him</p> <p>17 asking why their sergeant didn't sign it. I</p> <p>18 remember him asking me if I knew who their</p> <p>19 sergeant was, and I remember him asking me</p> <p>20 if their sergeant was aware of what they</p> <p>21 were doing with this, and that they were</p> <p>22 signing this gentleman up.</p> <p>23 Q. What did you tell him?</p> <p>24 A. I told him that I wasn't aware of</p>

<p style="text-align: right;">62</p> <p>1 who their sergeant was, and I told him that</p> <p>2 I wasn't aware of whether or not their</p> <p>3 supervisor was aware what they were doing or</p> <p>4 that they were signing up this informant.</p> <p>5 Q. And what else was said in this</p> <p>6 conversation then?</p> <p>7 A. He told me that he wouldn't sign</p> <p>8 it at this point, and that I would have to</p> <p>9 have them get their supervisor to sign it,</p> <p>10 so he could ensure that their supervisors</p> <p>11 were aware of what was going on.</p> <p>12 Q. And did you say anything further?</p> <p>13 A. I don't recall saying anything</p> <p>14 further.</p> <p>15 Q. Do you recall if Commander O'Grady</p> <p>16 said anything further?</p> <p>17 A. I don't recall him saying anything</p> <p>18 further.</p> <p>19 Q. Did you discuss in that</p> <p>20 conversation -- strike that.</p> <p>21 First of all, does this</p> <p>22 refresh your recollection that, in fact, you</p> <p>23 did have a personal communication with James</p> <p>24 O'Grady concerning this cooperating</p>	<p style="text-align: right;">64</p> <p>1 having any knowledge of what investigation</p> <p>2 this individual was going to be part of, and</p> <p>3 I don't recall Commander O'Grady asking me</p> <p>4 any questions about what this person was</p> <p>5 going to be involved in.</p> <p>6 BY MR. TAREN:</p> <p>7 Q. Did Commander O'Grady ask you</p> <p>8 anything about what Danny and Shannon were</p> <p>9 involved in?</p> <p>10 A. Not that I recall.</p> <p>11 Q. Did you discuss with Commander</p> <p>12 O'Grady the fact that Danny and Shannon</p> <p>13 were, at that time, in Detached Services?</p> <p>14 A. I think our conversation alluded</p> <p>15 to the fact that they were in Detached</p> <p>16 Services because I was not their supervisor,</p> <p>17 and he asked if their supervisor was aware</p> <p>18 of this.</p> <p>19 Q. And when he asked if their</p> <p>20 supervisor was aware of this, then you --</p> <p>21 did you allude to the fact that they were</p> <p>22 not reporting directly to Narcotics but were</p> <p>23 in Detached Services?</p> <p>24 MR. KING: Objection; asked and</p>
<p style="text-align: right;">63</p> <p>1 individual request?</p> <p>2 A. Yes.</p> <p>3 Q. Was this face-to-face?</p> <p>4 A. Yes.</p> <p>5 Q. Was anyone else present?</p> <p>6 A. Not that I recall.</p> <p>7 Q. Did O'Grady ask you anything about</p> <p>8 the nature of the investigation that Shannon</p> <p>9 and Danny were conducting with the use of</p> <p>10 this informant?</p> <p>11 A. Not that I recall.</p> <p>12 Q. Did you tell him that they were</p> <p>13 working on investigating dirty cops?</p> <p>14 A. No.</p> <p>15 Q. Did that come up at all?</p> <p>16 A. No.</p> <p>17 Q. Did O'Grady ask you anything about</p> <p>18 the investigation that Shannon -- about your</p> <p>19 knowledge of what Shannon and Danny were</p> <p>20 doing?</p> <p>21 MR. KING: I'd object; asked and</p> <p>22 answered.</p> <p>23 You can answer again.</p> <p>24 THE WITNESS: I don't recall</p>	<p style="text-align: right;">65</p> <p>1 answered to what he alluded to.</p> <p>2 But you can state the</p> <p>3 conversation again.</p> <p>4 THE WITNESS: Commander O'Grady</p> <p>5 asked me if Shannon and Danny's supervisor</p> <p>6 was aware of this informant and how they</p> <p>7 were planning on using the informant, and I</p> <p>8 said, I don't know. I didn't know who their</p> <p>9 supervisor was. I didn't know the purposes</p> <p>10 for which this informant was going to be</p> <p>11 used specifically.</p> <p>12 BY MR. TAREN:</p> <p>13 Q. Now you knew at that time that</p> <p>14 they were in Detached Services, correct?</p> <p>15 A. Yes.</p> <p>16 Q. And are you telling me that you</p> <p>17 did not mention that to James O'Grady in</p> <p>18 that conversation?</p> <p>19 A. I don't know why I would have</p> <p>20 mentioned that. I don't recall mentioning</p> <p>21 it. I don't know why I would have mentioned</p> <p>22 it. I would assume that the commander of a</p> <p>23 unit would know who is assigned to his unit.</p> <p>24 Q. So based on your encounter with</p>

<p style="text-align: right;">66</p> <p>1 and your discussion with James O'Grady that</p> <p>2 we have just been talking about, were you</p> <p>3 under the impression that he was aware of</p> <p>4 what Danny and Shannon's assignment was at</p> <p>5 that time?</p> <p>6 MR. KING: Object to the form.</p> <p>7 You can answer.</p> <p>8 THE WITNESS: I don't know what he</p> <p>9 was aware of at the time, other than my own</p> <p>10 assumptions that he was aware that they</p> <p>11 weren't in Narcotics.</p> <p>12 BY MR. TAREN:</p> <p>13 Q. So what did you do after the --</p> <p>14 after Commander O'Grady refused to sign the</p> <p>15 approval?</p> <p>16 MR. KING: I'd just object to the</p> <p>17 characterization "refusal," but you can</p> <p>18 answer.</p> <p>19 THE WITNESS: I believe I returned</p> <p>20 it to Officer Spalding and let her know the</p> <p>21 reasoning behind why it was not signed.</p> <p>22 BY MR. TAREN:</p> <p>23 Q. Before returning it to Officer</p> <p>24 Spalding, did you make an effort to talk to</p>	<p style="text-align: right;">68</p> <p>1 prearranged. I know that we were working --</p> <p>2 we had worked together on other cases;</p> <p>3 Officer Spalding and Officer Echeverria,</p> <p>4 along with my team. And I don't know if</p> <p>5 they were present because of something else</p> <p>6 we were working on, or if I went to meet</p> <p>7 them, or if they were at Homan Square, that</p> <p>8 I don't recall.</p> <p>9 Q. You are not suggesting that the</p> <p>10 next meeting you had with regard to this</p> <p>11 cooperating individual request was just a</p> <p>12 chance encounter, are you? Did you just run</p> <p>13 into her?</p> <p>14 A. I am not certain if she was at</p> <p>15 Homan Square because she had been at Homan</p> <p>16 Square on numerous occasions before that</p> <p>17 working with my team.</p> <p>18 Q. Okay.</p> <p>19 A. So like I said before, I don't</p> <p>20 recall exactly where we met. So I can't be</p> <p>21 certain, no.</p> <p>22 Q. Do you have a recollection of this</p> <p>23 meeting taking place in the 7th district</p> <p>24 parking lot?</p>
<p style="text-align: right;">67</p> <p>1 any of the other sergeants?</p> <p>2 A. I don't recall talking to any</p> <p>3 sergeants regarding this.</p> <p>4 Q. Did you go back to talk to the</p> <p>5 lieutenant who had -- who we don't know</p> <p>6 whose signature that is?</p> <p>7 A. I don't recall going back to a</p> <p>8 lieutenant.</p> <p>9 Q. How did you arrange to speak with</p> <p>10 Shannon? Did you call her up?</p> <p>11 A. I don't recall.</p> <p>12 Q. Did you meet with her somewhere?</p> <p>13 A. I believe I did.</p> <p>14 Q. Where was that?</p> <p>15 A. I am not certain of the location</p> <p>16 where we met. I believe it was at the Homan</p> <p>17 Square facility.</p> <p>18 Q. In the parking lot?</p> <p>19 A. That I don't know.</p> <p>20 Q. And do you recall who was present</p> <p>21 when you met with her?</p> <p>22 A. I don't.</p> <p>23 Q. Was this a prearranged meeting?</p> <p>24 A. I don't recall if it was</p>	<p style="text-align: right;">69</p> <p>1 A. No.</p> <p>2 Q. Is it possible?</p> <p>3 A. It could be possible.</p> <p>4 Q. Do you have a recollection of</p> <p>5 Danny Echeverria and Anthony Hernandez being</p> <p>6 present for this conversation?</p> <p>7 A. I don't.</p> <p>8 Q. And that's another thing that</p> <p>9 possibly you just don't recall; is that</p> <p>10 correct?</p> <p>11 A. It's possible.</p> <p>12 Q. Tell me what you recall saying to</p> <p>13 Shannon and what she said to you in this</p> <p>14 encounter.</p> <p>15 A. I recall letting her know that</p> <p>16 Commander O'Grady wanted her to have the</p> <p>17 supervisor approve this and then forward it</p> <p>18 back up to him. I don't recall what her</p> <p>19 response was.</p> <p>20 Q. Do you recall whether she was</p> <p>21 happy with that?</p> <p>22 A. I don't.</p> <p>23 Q. Do you recall whether anyone else</p> <p>24 participated in this conversation?</p>

<p style="text-align: right;">70</p> <p>1 A. I don't.</p> <p>2 Q. How long was it after Shannon had</p> <p>3 presented you with the request that is</p> <p>4 Exhibit 1 that you gave it back to her?</p> <p>5 A. I don't recall.</p> <p>6 Q. Well, just exploring your memory,</p> <p>7 are we talking about the same day? Was it</p> <p>8 the same day?</p> <p>9 A. From reviewing this document --</p> <p>10 Q. Yes.</p> <p>11 A. -- I don't believe it was the same</p> <p>12 day.</p> <p>13 Q. Okay. And is that because we have</p> <p>14 one signature on the 17th and one on the</p> <p>15 18th?</p> <p>16 A. Yes.</p> <p>17 Q. Do you recall whether you went to</p> <p>18 see Commander O'Grady the same day you went</p> <p>19 to and received this signature from the</p> <p>20 lieutenant?</p> <p>21 A. I don't recall.</p> <p>22 Q. Do you recall whether you went to</p> <p>23 see Shannon to give her back the request the</p> <p>24 same day that you spoke with Commander</p>	<p style="text-align: right;">72</p> <p>1 Q. And how many times did he refuse</p> <p>2 to sign the requests?</p> <p>3 MR. KING: I still object to the</p> <p>4 lack of foundation.</p> <p>5 MR. TAREN: I am just talking</p> <p>6 about the ones that he presented.</p> <p>7 MR. KING: I understand. But are</p> <p>8 you talking about ones that he presented for</p> <p>9 people that were detailed to other</p> <p>10 departments?</p> <p>11 MR. TAREN: No, no. In general.</p> <p>12 MR. KING: Let's talk apples and</p> <p>13 apples.</p> <p>14 BY MR. TAREN:</p> <p>15 Q. I was just going to say, of the</p> <p>16 dozen cooperating individual requests that</p> <p>17 you presented to Commander O'Grady, how many</p> <p>18 did he refuse to sign?</p> <p>19 MR. KING: And I'd object to the</p> <p>20 use of "refuse to sign."</p> <p>21 BY MR. TAREN:</p> <p>22 Q. Let's say, how many he did not</p> <p>23 sign?</p> <p>24 A. I don't recall.</p>
<p style="text-align: right;">71</p> <p>1 O'Grady?</p> <p>2 A. I don't recall.</p> <p>3 Q. Was it within two or three days?</p> <p>4 A. This is going on almost five</p> <p>5 years, so I don't recall if there was five</p> <p>6 days in between or one day in between or ten</p> <p>7 days in between. I don't recall.</p> <p>8 Q. Before returning the cooperating</p> <p>9 individual request to Shannon, did you speak</p> <p>10 with any other officers about anything to do</p> <p>11 with the approval of David Holmes?</p> <p>12 A. Not that I recall.</p> <p>13 Q. How unusual was it for Commander</p> <p>14 O'Grady to refuse to approve a cooperating</p> <p>15 individual request?</p> <p>16 MR. KING: Object to the form of</p> <p>17 the question. Lack of foundation.</p> <p>18 MR. TAREN: Strike that. Let me</p> <p>19 try and lay a foundation. You are right.</p> <p>20 BY MR. TAREN:</p> <p>21 Q. On how many occasions have you</p> <p>22 presented a cooperating individual request</p> <p>23 to Commander O'Grady?</p> <p>24 A. Maybe a dozen times.</p>	<p style="text-align: right;">73</p> <p>1 Q. Any other than this one that you</p> <p>2 can point to?</p> <p>3 A. I can't think of any off the top</p> <p>4 of my head. However, things that are</p> <p>5 incomplete or incorrect are often sent back</p> <p>6 to me to have them complete or corrected</p> <p>7 prior to his approval.</p> <p>8 Q. Is there a record kept of approved</p> <p>9 cooperating individual requests with your</p> <p>10 signature on them?</p> <p>11 A. I believe there are.</p> <p>12 Q. Where would that be kept?</p> <p>13 A. I believe at headquarters.</p> <p>14 Q. All right. So if we looked at all</p> <p>15 of the cooperating individual requests that</p> <p>16 you signed during a particular period of</p> <p>17 time, we are either going to see a</p> <p>18 commander's signature or not; is that</p> <p>19 correct?</p> <p>20 A. No.</p> <p>21 Q. No. Why not?</p> <p>22 A. Because I don't know if they keep</p> <p>23 ones that aren't approved.</p> <p>24 Q. What happens to them?</p>

<p style="text-align: right;">74</p> <p>1 A. I would assume they are returned 2 to the officer for corrections. 3 Q. So how long was this encounter 4 that you had with Shannon in which you 5 returned the cooperating individual request 6 to her? Are we talking about a minute, 7 two minutes? Ten minutes? An hour? 8 A. I don't recall meeting at the 7th 9 district, so I don't know the length of our 10 meeting. 11 Q. Well, would this -- regardless of 12 where it took place, do you recall whether 13 this was a brief encounter or anything more 14 extended? 15 A. I don't recall. 16 Q. After you returned the cooperating 17 individual request to Shannon Spalding, was 18 it ever re-presented to you? 19 A. Not that I recall. 20 Q. Did you ever speak with anyone 21 else about David Holmes -- another 22 sergeant -- about approving a cooperating 23 individual request regarding David Holmes? 24 A. Not that I recall.</p>	<p style="text-align: right;">76</p> <p>1 A. No. 2 Q. Did you ever tell Shannon Spalding 3 or Danny Echeverria that O'Grady had told 4 you that you were not to work with them? 5 A. No. 6 Q. Did Commander O'Grady ever speak 7 to you about not backing up or assisting 8 Shannon or Danny? 9 A. No. 10 Q. Did he ever say anything to you 11 about what would happen to Shannon or Danny 12 if there was a 10-1? 13 A. No. 14 Q. Did you ever hear Commander 15 O'Grady refer to either Danny or Shannon as 16 an IAD rat? 17 A. No. 18 Q. Did you ever hear anyone say that? 19 A. No. 20 Q. Did you ever hear anyone refer to 21 them -- now I am taking the word IAD out -- 22 as a rat? 23 A. No. 24 Q. Did you ever hear anyone speculate</p>
<p style="text-align: right;">75</p> <p>1 Q. Other than the one conversation 2 you just testified to between you and 3 Commander O'Grady concerning this 4 cooperating individual request, have you 5 ever had any other conversations with 6 Commander O'Grady involving Spalding and 7 Echeverria's request for approval of David 8 Holmes as a cooperating individual? 9 A. Not that I recall. 10 Q. Did you ever have any other 11 conversations with James O'Grady that had 12 anything to do with Shannon Spalding? 13 A. I don't recall specific 14 conversations with him regarding Shannon 15 Spalding. 16 Q. Did you ever have any 17 conversations with James O'Grady about Danny 18 Echeverria? 19 A. Not that I recall. 20 Q. Did Commander O'Grady ever tell 21 you not to work with Spalding and 22 Echeverria? 23 A. No. 24 Q. Or either of them?</p>	<p style="text-align: right;">77</p> <p>1 or state that they believed that Danny or 2 Shannon were working with IAD? 3 A. I don't recall ever hearing that. 4 Q. Anything like it? I am asking you 5 because you are hesitating on this one. 6 A. I am trying to think with the 7 media coverage surrounding the case if there 8 was mention that they were working with IAD. 9 And I can't recall if there was mention of 10 that in the news reports after the two -- 11 the sergeant and the PO from the 2nd 12 district were arrested. 13 Q. Who did you tell that Shannon said 14 they were working investigating dirty cops? 15 A. I don't recall who I told. 16 Q. Did you ever hear another officer 17 say they didn't want to work with either 18 Danny or Shannon? 19 A. I can't think of anyone that I 20 have heard say that. 21 Q. To your knowledge, there was no 22 problem with the quality of their work while 23 they were at Narcotics, was there? 24 A. Not to my knowledge.</p>

<p style="text-align: right;">78</p> <p>1 Q. Prior to any of the publicity 2 surrounding the filing of this lawsuit, did 3 you ever hear anyone express any animosity 4 towards Danny or Shannon? 5 A. No. 6 Q. Are you saying that until you 7 heard something in the publicity associated 8 with the lawsuit, you were unaware that 9 Danny or Shannon were working with IAD? 10 A. That's correct. 11 Q. And is it your testimony that 12 before reading anything in the newspaper, 13 you were unaware that they were working in 14 conjunction with the FBI? 15 A. That's correct. 16 Q. So when did you first learn that 17 they were involved in any way in the 18 investigation of Officers Mohammed and 19 Watts? 20 A. When the media reports broke 21 around the arrest of Mohammed and Watts. 22 Q. Did you hear from any source prior 23 to that time that Mohammed and Watts were 24 being investigated for possible criminal</p>	<p style="text-align: right;">80</p> <p>1 (Whereupon, the record was 2 read as requested.) 3 BY MR. TAREN: 4 Q. I am going to bounce back a little 5 bit. 6 In your conversation with 7 James O'Grady that you were testifying 8 about, did he tell you who specifically 9 Shannon should present the cooperating 10 individual request to? 11 A. Not specifically. She -- he told 12 me to have her present it to her supervisor. 13 I don't know who the supervisor was. 14 Q. Did he clarify to you that he was 15 referring to her supervisor in Detached 16 Services? 17 A. He didn't clarify. 18 Q. Well, what individuals are 19 authorized to approve cooperating individual 20 requests at that time? 21 MR. KING: Object to the lack of 22 foundation. 23 BY MR. TAREN: 24 Q. Do you know?</p>
<p style="text-align: right;">79</p> <p>1 activity? 2 A. No. 3 Q. Have you ever heard the word -- 4 the phrase "Brass Tax" in connection with 5 any kind of investigation before it was 6 released to the public? 7 A. No. 8 Q. Did you know either Officer Watts 9 or Mohammed? 10 A. No. 11 Q. At any point did you learn that 12 Danny or Shannon were working and reporting 13 to Juan Rivera? 14 A. No. 15 Q. Do you know who Juan Rivera is? 16 A. Yes. 17 Q. Were you aware of what his 18 position was with IAD? 19 A. I believe he's the chief of IAD. 20 MR. TAREN: Could we take a break? 21 MR. KING: Sure. 22 (Whereupon, a break was taken 23 from 3:13 p.m. to 3:26 p.m.) 24</p>	<p style="text-align: right;">81</p> <p>1 A. I am not certain, no. 2 Q. Didn't it have to be a sergeant in 3 Narcotics? 4 A. That I am not aware of. 5 Q. Do you see what I am getting at? 6 I am trying to find out whether in returning 7 -- strike that. 8 In returning Exhibit 1 to 9 Shannon, did you tell her who she should 10 present it to? 11 A. Her supervisor. 12 Q. Her supervisor in Detached 13 Services, is that what you were referring 14 to? Or someone else in Narcotics? 15 A. She didn't, to my knowledge, have 16 a supervisor in Narcotics because she wasn't 17 working in Narcotics. 18 Q. But this request for cooperating 19 individual was for an operation in which she 20 was assisting Narcotics, isn't that true? 21 A. I don't recall the circumstances 22 how this cooperating individual was going to 23 be used. 24 Q. Well, didn't you say earlier that</p>

<p style="text-align: right;">82</p> <p>1 you had worked with Danny and Shannon on</p> <p>2 some other matters while they were at</p> <p>3 Detached Services?</p> <p>4 A. Yes.</p> <p>5 Q. What kind of matters were they?</p> <p>6 A. I recall specifically one search</p> <p>7 warrant that we conducted together.</p> <p>8 Q. And this was on Narcotics leads</p> <p>9 that they had helped you develop; is that</p> <p>10 correct?</p> <p>11 A. I believe they developed the</p> <p>12 leads, and we assisted them with the search</p> <p>13 warrant.</p> <p>14 Q. So were you aware that the request</p> <p>15 for authorization of the cooperating</p> <p>16 individual request was something that would</p> <p>17 customarily go through Narcotics and not</p> <p>18 Detached Services?</p> <p>19 MR. KING: Again, I'd object to</p> <p>20 the lack of foundation.</p> <p>21 THE WITNESS: I have never worked</p> <p>22 in Detached Services, so I don't know if</p> <p>23 their supervisors would approve something</p> <p>24 like this.</p>	<p style="text-align: right;">84</p> <p>1 was signed by an officer outside of 189?</p> <p>2 A. Not that I can recall.</p> <p>3 Can I clarify?</p> <p>4 Q. Sure, please.</p> <p>5 A. When you say signed by an officer</p> <p>6 outside of 189 or approved by a supervisor?</p> <p>7 Q. Approved by a supervisor.</p> <p>8 A. I have not seen that's been</p> <p>9 approved by a supervisor outside of 189.</p> <p>10 Q. So did it strike you as unusual</p> <p>11 that Commander O'Grady wanted her to present</p> <p>12 this for approval to someone outside of 189?</p> <p>13 MR. KING: Object to the form of</p> <p>14 the question, which again I think misstates</p> <p>15 the testimony, but you can answer.</p> <p>16 THE WITNESS: With the reason he</p> <p>17 gave me, I was not surprised that it was</p> <p>18 being returned back for her supervisor to</p> <p>19 review.</p> <p>20 BY MR. TAREN:</p> <p>21 Q. Why?</p> <p>22 A. As a supervisor myself, I think</p> <p>23 it's important that supervisors are aware of</p> <p>24 what their subordinates are doing and</p>
<p style="text-align: right;">83</p> <p>1 BY MR. TAREN:</p> <p>2 Q. Did you have any idea who their</p> <p>3 supervisors were at that time in August</p> <p>4 of 2010?</p> <p>5 A. No.</p> <p>6 Q. As far as you were concerned, was</p> <p>7 this going to be -- returning the</p> <p>8 cooperating individual request the end of</p> <p>9 that request because there was really nobody</p> <p>10 to authorize it?</p> <p>11 MR. KING: Object to the form. It</p> <p>12 misstates the testimony, but you can answer.</p> <p>13 THE WITNESS: I was never aware</p> <p>14 that there would be no one to approve it in</p> <p>15 Detached Services.</p> <p>16 BY MR. TAREN:</p> <p>17 Q. Are you familiar with the general</p> <p>18 order that only unit 189 can approve CI</p> <p>19 packs?</p> <p>20 A. I am not certain if that means the</p> <p>21 final approval or every aspect of it. I am</p> <p>22 not certain. I believe that the commander</p> <p>23 of Narcotics has to approve it.</p> <p>24 Q. Have you ever seen a CI pack that</p>	<p style="text-align: right;">85</p> <p>1 working on. In this case, I wasn't certain,</p> <p>2 and I believe Commander O'Grady wasn't</p> <p>3 certain if her supervisor was aware of what</p> <p>4 she was doing.</p> <p>5 Q. Well, you didn't have any problem</p> <p>6 signing Exhibit 1, did you?</p> <p>7 A. Correct.</p> <p>8 Q. So, obviously, at that time, you</p> <p>9 knew what the purpose was, and what was</p> <p>10 being worked on, isn't that true?</p> <p>11 A. I didn't know what the purpose</p> <p>12 was. I assumed he would be working with</p> <p>13 Officer Spalding in the future with more</p> <p>14 intelligence to follow up on, but I didn't</p> <p>15 know of any specific project that was being</p> <p>16 worked on or case that was being worked on</p> <p>17 with this individual.</p> <p>18 Q. And did the lieutenant that you</p> <p>19 presented Exhibit 1 to raise any issues</p> <p>20 about whether you should be signing this as</p> <p>21 opposed to some other supervisor?</p> <p>22 A. That I don't recall. I don't even</p> <p>23 recall if I met personally with the</p> <p>24 lieutenant or if I put it in his in-box.</p>

<p style="text-align: right;">86</p> <p>1 Q. Did you ever ask Shannon whether</p> <p>2 the supervisor she was working with was</p> <p>3 aware of this request?</p> <p>4 A. Not that I recall.</p> <p>5 Q. When this was presented to you,</p> <p>6 did it have Officer Hernandez's name on it?</p> <p>7 A. That I don't recall.</p> <p>8 Q. And you see at the bottom</p> <p>9 left-hand part of Exhibit 1, is that Officer</p> <p>10 Hernandez's signature?</p> <p>11 A. I believe so, yes.</p> <p>12 Q. So was it your understanding that</p> <p>13 Officer Hernandez was working with Officers</p> <p>14 Spalding and Echeverria on the matter that</p> <p>15 required this request to be presented?</p> <p>16 A. Yes.</p> <p>17 Q. Were you Officer Hernandez's</p> <p>18 supervisor?</p> <p>19 A. Yes.</p> <p>20 Q. Is that correct?</p> <p>21 A. Yes.</p> <p>22 Q. Did you talk about that to</p> <p>23 Commander O'Grady?</p> <p>24 A. Not that I recall.</p>	<p style="text-align: right;">88</p> <p>1 MR. KING: Just object to the form</p> <p>2 and lack of foundation and assuming facts</p> <p>3 not in evidence.</p> <p>4 THE WITNESS: I don't recall.</p> <p>5 BY MR. TAREN:</p> <p>6 Q. Did you ever tell Shannon or Danny</p> <p>7 or Anthony Hernandez that O'Grady had told</p> <p>8 you that he'd sign the CI pack for Holmes if</p> <p>9 you'd scratch those two rat's names off the</p> <p>10 packet?</p> <p>11 A. No.</p> <p>12 Q. You are smirking. Is there a</p> <p>13 reason for that?</p> <p>14 A. I had previously testified that I</p> <p>15 never heard Shannon be referred to as a rat</p> <p>16 or an IAD rat.</p> <p>17 Q. Are you aware that there are three</p> <p>18 individuals that are going to testify that,</p> <p>19 in fact, that is what he said?</p> <p>20 A. I am not aware of what they are</p> <p>21 going to testify to.</p> <p>22 Q. Do you know whether Shannon and</p> <p>23 Danny had been authorized to wear a wire</p> <p>24 pursuant to their investigation with</p>
<p style="text-align: right;">87</p> <p>1 Q. So why was it necessary if Officer</p> <p>2 Hernandez was also making this request and</p> <p>3 his supervisor was aware and had approved</p> <p>4 the request that there be -- that this be</p> <p>5 rejected because Shannon Spalding's</p> <p>6 supervisor hadn't signed off on it?</p> <p>7 MR. KING: Object to the lack of</p> <p>8 foundation.</p> <p>9 If you know, you can answer.</p> <p>10 THE WITNESS: I don't know any</p> <p>11 specifics. I could only speculate as to why</p> <p>12 her supervisor should know about this.</p> <p>13 BY MR. TAREN:</p> <p>14 Q. By the way, do you recall that you</p> <p>15 returned this to Shannon at around midnight</p> <p>16 at the same day that you presented it to</p> <p>17 Commander O'Grady?</p> <p>18 A. That I don't recall.</p> <p>19 Q. That's possible?</p> <p>20 A. It's possible.</p> <p>21 Q. Do you recall seeing a cooperating</p> <p>22 individual request that had a yellow sticky</p> <p>23 Post-it note on it telling you to go see</p> <p>24 Commander O'Grady?</p>	<p style="text-align: right;">89</p> <p>1 Detached Services?</p> <p>2 A. I don't know.</p> <p>3 Q. Do you know whether any of the</p> <p>4 conversations that you had with Shannon or</p> <p>5 Danny had been recorded?</p> <p>6 A. I don't know.</p> <p>7 Q. Did you ever tell Danny that</p> <p>8 O'Grady had said to you that their paths</p> <p>9 were not to cross again, meaning the paths</p> <p>10 of Danny and Shannon and the Narcotics</p> <p>11 squad?</p> <p>12 A. No.</p> <p>13 Q. Did you tell Danny that James</p> <p>14 O'Grady had said to you, "God help them if</p> <p>15 they need some help, it ain't coming. You</p> <p>16 are not to help them out"?</p> <p>17 A. No.</p> <p>18 Q. Did you tell Danny or Shannon</p> <p>19 anything about O'Grady being upset with them</p> <p>20 for any reason?</p> <p>21 A. No.</p> <p>22 Q. Your recollection of this</p> <p>23 conversation was it was just a routine</p> <p>24 returning deficient CI pack; is that</p>

<p style="text-align: right;">90</p> <p>1 correct?</p> <p>2 A. Yes.</p> <p>3 Q. And your recollection is that</p> <p>4 neither Danny or Shannon reacted in any</p> <p>5 unusual or upset way during that</p> <p>6 conversation?</p> <p>7 A. I don't recall any adverse</p> <p>8 reaction.</p> <p>9 Q. There must have been some</p> <p>10 reaction, was there? Do you recall any</p> <p>11 reaction at all?</p> <p>12 A. I don't.</p> <p>13 Q. Do you recall telling Shannon that</p> <p>14 you had your orders and -- from O'Grady, and</p> <p>15 you can't mess up your job, or something to</p> <p>16 the effect, you are just doing your job?</p> <p>17 A. No.</p> <p>18 Q. By the way, Commander O'Grady had</p> <p>19 directed you to return this to Shannon; is</p> <p>20 that correct?</p> <p>21 A. Yes.</p> <p>22 Q. And I understand -- do I</p> <p>23 understand correctly that he instructed you</p> <p>24 to tell them why he was not signing it; is</p>	<p style="text-align: right;">92</p> <p>1 A. No.</p> <p>2 Q. Now in August of 2010, you were on</p> <p>3 good terms with Anthony Hernandez; is that</p> <p>4 correct?</p> <p>5 A. Yes.</p> <p>6 Q. And were you social friends with</p> <p>7 Mr. Hernandez at that time?</p> <p>8 A. I have never been to his house.</p> <p>9 We have never really gone out together</p> <p>10 outside of work, other than possibly</p> <p>11 promotional parties or police-related</p> <p>12 events.</p> <p>13 Q. Okay.</p> <p>14 A. He has been to my house. We were</p> <p>15 friendly.</p> <p>16 Q. And in August of 2010, you had no</p> <p>17 bad dealings or animosity towards either</p> <p>18 Shannon or Danny, isn't that true?</p> <p>19 A. That's true.</p> <p>20 Q. Did you ever hear from any source</p> <p>21 that Shannon Spalding was not to be allowed</p> <p>22 to be present at Homan Square?</p> <p>23 A. I don't recall hearing from anyone</p> <p>24 that she wasn't allowed to be at Homan</p>
<p style="text-align: right;">91</p> <p>1 that correct?</p> <p>2 A. Yes.</p> <p>3 Q. So in this meeting that we are</p> <p>4 referring to where you are not exactly sure</p> <p>5 where it took place, you were carrying out</p> <p>6 Commander O'Grady's orders; is that correct?</p> <p>7 A. Yes.</p> <p>8 Q. To your knowledge, did you -- you,</p> <p>9 being Narcotics, ever use this informant,</p> <p>10 David Holmes, to make confirmation buys for</p> <p>11 search warrant?</p> <p>12 A. I don't recall personally using</p> <p>13 him. That's not to say that someone on my</p> <p>14 team may have used him, or Shannon or Danny</p> <p>15 may have used him.</p> <p>16 Q. Do you recall ever seeing any</p> <p>17 reports, any buy reports, reflecting that</p> <p>18 David Holmes was making a buy?</p> <p>19 A. I don't. But I don't believe his</p> <p>20 name would ever be used on a buy report.</p> <p>21 Q. Do you recall ever seeing a report</p> <p>22 that stated that an undercover officer made</p> <p>23 a buy when, in fact, it was the cooperating</p> <p>24 individual that did?</p>	<p style="text-align: right;">93</p> <p>1 Square, no.</p> <p>2 Q. Did you hear from anyone that she</p> <p>3 wasn't to be either at the guard shack or to</p> <p>4 -- or anywhere near Homan?</p> <p>5 A. No, I was not given any direction</p> <p>6 or instructions to make sure she was not at</p> <p>7 Homan Square.</p> <p>8 Q. That would be a pretty unusual</p> <p>9 direction, wouldn't it?</p> <p>10 A. Yes.</p> <p>11 Q. Do you know who Tom Chester is?</p> <p>12 A. Yes.</p> <p>13 Q. How do you know Mr. Chester?</p> <p>14 A. I was introduced to him one day</p> <p>15 when he was at Homan Square as a supervisor</p> <p>16 in Internal Affairs.</p> <p>17 Q. Do you recall when that was?</p> <p>18 A. I don't recall if it was 2011 or</p> <p>19 2012.</p> <p>20 Q. At any point, did you learn that</p> <p>21 Shannon and Danny were reporting to Tom</p> <p>22 Chester?</p> <p>23 A. No.</p> <p>24 Q. And do you recall what the</p>

<p style="text-align: right;">94</p> <p>1 circumstances were of why Tom Chester was at 2 Homan Square when you encountered him? 3 A. He and Sergeant Mike Barz were 4 requesting an interview with me. 5 Q. Okay. And what was that 6 regarding? 7 A. Regarding allegations that Anthony 8 Hernandez made against me. 9 Q. Was this before or after Hernandez 10 filed his lawsuit against you? 11 A. I believe it was after. 12 Q. And did you give an interview to 13 them at that time? 14 A. No. 15 Q. Have you ever given them an 16 interview with regard to those allegations? 17 A. No. 18 Q. Is there an outstanding CR with 19 regard to the Hernandez allegations and you? 20 A. Yes. 21 Q. Do you know what the status of 22 that is? 23 A. I don't know what the status of it 24 is.</p>	<p style="text-align: right;">96</p> <p>1 MR. KING: And I am going to 2 object to the relevance of those questions, 3 but you may ask. 4 BY MR. TAREN: 5 Q. All right. Did you participate in 6 a surveillance of Joseph Sperling in and 7 around June of 2013? 8 A. In regards to this case, I'm aware 9 that there -- this case is being reviewed by 10 the State's Attorney's Office. So I am not 11 at liberty to discuss this case because 12 there could potentially be criminal charges. 13 Q. Are you going to assert your right 14 not to testify -- not to incriminate 15 yourself under the Fifth Amendment and 16 refuse to answer questions? 17 A. Yes, I am. 18 Q. Now I am going to have to tell 19 you, since I have been through this before, 20 that in order to make a record, I am 21 required to ask you the questions, and you 22 are going to have to assert your Fifth 23 Amendment right as to any question that you 24 believe may tend to incriminate you. And</p>
<p style="text-align: right;">95</p> <p>1 Q. And that's the complaint that 2 alleges that you held back time slips that 3 were submitted by Mr. Hernandez; is that 4 correct? 5 A. Yes. 6 Q. And that's the case that you were 7 deposed on in February of this year? 8 A. Yes. 9 Q. You said there was an ongoing CR 10 with regard to the Hernandez allegations. 11 Do you know whether there is a criminal 12 investigation with regard to the Hernandez 13 allegations? 14 A. I'm aware that it was reviewed by 15 the State's Attorney's Office. 16 Q. Okay. 17 A. And I was informed by my attorney 18 that there would be no charges criminally. 19 Q. Did you get anything from the 20 State's Attorney, any letters? 21 A. I did not. 22 Q. I'd like to ask you some questions 23 about your involvement with the arrest of 24 Joseph Sperling in June of 2013.</p>	<p style="text-align: right;">97</p> <p>1 those that do not, you are supposed to be 2 answering the question but I can't just take 3 the blanket "I won't testify." 4 So I did this for three hours 5 once. It was not a pleasant deposition. 6 This won't take three hours. 7 Can you tell me who 8 participated in the surveillance of Joseph 9 Sperling? 10 MR. KING: And I want to show a 11 continuing line of objection as to the 12 relevance of the Sperling matter to this 13 lawsuit, in addition to the rights that the 14 witness is asserting. 15 BY MR. TAREN: 16 Q. If you want to just say, you know, 17 I will take the Fifth or assert my rights, 18 so we can short-circuit it, that's fine with 19 me, too. Anyway you want to say it. 20 A. I will assert my rights. 21 Q. In conjunction with the arrest of 22 Joseph Sperling, were you acting as a member 23 of the Chicago Police Department Narcotics 24 squad?</p>

<p style="text-align: right;">98</p> <p>1 A. Yes.</p> <p>2 Q. And did Officers Vince Morgan and</p> <p>3 William Prunte participate in the</p> <p>4 surveillance with you?</p> <p>5 A. I will assert my rights.</p> <p>6 Q. Prior to pulling Mr. Sperling</p> <p>7 over, did you participate in any</p> <p>8 conversations with other officers where you</p> <p>9 planned how to pull Mr. Sperling over in his</p> <p>10 car?</p> <p>11 A. I will assert my rights.</p> <p>12 Q. Were you accompanied by two</p> <p>13 Village of Glenview police officers that</p> <p>14 day?</p> <p>15 A. Yes.</p> <p>16 Q. And were those officers Horn and</p> <p>17 Urbanowski?</p> <p>18 A. Yes.</p> <p>19 Q. Had you worked with them before?</p> <p>20 A. I had met Sergeant Urbanowski on</p> <p>21 one occasion when the Postal team and</p> <p>22 Narcotics was doing a controlled delivery,</p> <p>23 and she was present for the debriefing at</p> <p>24 the Glenview police station.</p>	<p style="text-align: right;">100</p> <p>1 Officers Morgan, Prunte, Horn or Urbanowski</p> <p>2 where you agreed upon a false story to</p> <p>3 testify to under oath regarding the</p> <p>4 stop-and-frisk of Joseph Sperling?</p> <p>5 A. I will assert my rights.</p> <p>6 Q. Did you falsely testify under oath</p> <p>7 in that hearing that the officers had</p> <p>8 initially asked Sperling for his driver's</p> <p>9 license and registration?</p> <p>10 A. I will assert my rights.</p> <p>11 Q. Did you falsely testify under oath</p> <p>12 that you or one of your fellow officers</p> <p>13 asked Sperling if he had any illegal</p> <p>14 narcotics on him?</p> <p>15 A. I will assert my rights.</p> <p>16 Q. Did you falsely testify under oath</p> <p>17 that Sperling admitted that he had illegal</p> <p>18 narcotics on him?</p> <p>19 A. I will assert my rights.</p> <p>20 Q. Did you falsely testify under oath</p> <p>21 that Sperling was walked to the rear of his</p> <p>22 car with Glenview Police Officer Horn, while</p> <p>23 Officer Prunte searched Sperling's car?</p> <p>24 A. I will assert my rights.</p>
<p style="text-align: right;">99</p> <p>1 Q. Are you listed as an arresting</p> <p>2 officer with regard to the June 6th arrest</p> <p>3 of Joseph Sperling?</p> <p>4 A. I don't recall.</p> <p>5 Q. Were you present at the traffic</p> <p>6 stop of Sperling's car that day?</p> <p>7 A. I will assert my rights.</p> <p>8 Q. Was Mr. Sperling pulled over</p> <p>9 because he failed to use his turn signal?</p> <p>10 A. I will assert my rights.</p> <p>11 Q. Did he, in fact, fail to use his</p> <p>12 turn signal?</p> <p>13 A. I will assert my rights.</p> <p>14 Q. Did you testify in the suppression</p> <p>15 hearing held on March 31, 2014, before Cook</p> <p>16 County Circuit Court Judge Catherine</p> <p>17 Haberkorn in the case captioned, "State</p> <p>18 versus Sperling"?</p> <p>19 A. Yes.</p> <p>20 Q. Did you testify falsely under oath</p> <p>21 in that suppression hearing?</p> <p>22 A. I will assert my rights.</p> <p>23 Q. Prior to the suppression hearing,</p> <p>24 did you participate in the conversation with</p>	<p style="text-align: right;">101</p> <p>1 Q. Did you falsely testify under oath</p> <p>2 that drugs were found in plain view in</p> <p>3 Sperling's vehicle?</p> <p>4 A. I will assert my rights.</p> <p>5 Q. Did you falsely testify under oath</p> <p>6 that Sperling was not arrested until after</p> <p>7 marijuana was found in the vehicle, and he</p> <p>8 admitted to possessing it?</p> <p>9 A. I will assert my rights.</p> <p>10 Q. Were you aware at the time of your</p> <p>11 court testimony at the time of the</p> <p>12 suppression hearing that your encounter with</p> <p>13 Joseph Sperling on June 6, 2013, had been</p> <p>14 videotaped by Officer Urbanowski's squad</p> <p>15 car?</p> <p>16 A. I will assert my rights.</p> <p>17 Q. Did you conspire with the other</p> <p>18 officers mentioned above to testify falsely</p> <p>19 under oath in that suppression hearing?</p> <p>20 A. I will assert my rights.</p> <p>21 Q. Did Judge Haberkorn announce in</p> <p>22 court on March 31, 2014, that "All officers</p> <p>23 lied on the stand today. All their</p> <p>24 testimony was a lie. So there is strong</p>

<p style="text-align: right;">102</p> <p>1 evidence it was a conspiracy to lie in this</p> <p>2 case for everyone to come up with the same</p> <p>3 lie. Many, many, many times they all lied"?</p> <p>4 A. I'll assert my rights.</p> <p>5 Q. Have you been notified by the</p> <p>6 State's Attorney that you are a target of a</p> <p>7 criminal investigation with regard to your</p> <p>8 testimony that was given in the Joseph</p> <p>9 Sperling matter?</p> <p>10 A. No.</p> <p>11 Q. Have you been called before a</p> <p>12 Grand Jury?</p> <p>13 A. No.</p> <p>14 Q. Is your assignment to the 311</p> <p>15 center a result of any investigation into</p> <p>16 your testimony at the March -- at the</p> <p>17 March 31, 2014, suppression hearing?</p> <p>18 A. Yes.</p> <p>19 Q. Have you written about your</p> <p>20 involvement in the Sperling case anywhere in</p> <p>21 your blogs or emails?</p> <p>22 A. No.</p> <p>23 Q. Have you written about anything to</p> <p>24 do with Shannon Spalding on any blog or</p>	<p style="text-align: right;">104</p> <p>1 MR. KING: Again, object to the</p> <p>2 relevance.</p> <p>3 THE WITNESS: I have -- I spoke to</p> <p>4 him about how I have been reassigned while</p> <p>5 they investigate -- the department</p> <p>6 investigates allegations made against me.</p> <p>7 I have spoken to him about the</p> <p>8 media coverage, and about the video that was</p> <p>9 shown on the news.</p> <p>10 BY MR. TAREN:</p> <p>11 Q. What did you tell him about the</p> <p>12 video that was shown on the news?</p> <p>13 A. I asked him if he could get a copy</p> <p>14 for me, seeing as at that point, I had never</p> <p>15 seen the video. I was not present in court</p> <p>16 when any video was played, and I was not</p> <p>17 recalled into court to view any video.</p> <p>18 Q. Did he get you a copy?</p> <p>19 A. I believe he emailed a copy of the</p> <p>20 video that was on the news.</p> <p>21 Q. Did you communicate with him by</p> <p>22 email or texts with regard to the Sperling</p> <p>23 matter?</p> <p>24 A. I don't recall other --</p>
<p style="text-align: right;">103</p> <p>1 email?</p> <p>2 A. No.</p> <p>3 Q. Have you ever posted any anonymous</p> <p>4 comments on any police-related blogs that</p> <p>5 have anything to do with Shannon Spalding or</p> <p>6 Danny Echeverria or Anthony Hernandez?</p> <p>7 A. No.</p> <p>8 Q. Have you ever given any oral</p> <p>9 interviews about your involvement in the</p> <p>10 Sperling case?</p> <p>11 A. No.</p> <p>12 Q. Have you talked to your father</p> <p>13 about your involvement in this Sperling</p> <p>14 case?</p> <p>15 A. Yes.</p> <p>16 Q. On how many occasions?</p> <p>17 A. I am not certain how many</p> <p>18 conversations I have had with him.</p> <p>19 Q. And were those conversations in</p> <p>20 the presence of counsel or not?</p> <p>21 A. No.</p> <p>22 Q. What have you talked to your</p> <p>23 father about with regard to the Sperling</p> <p>24 case?</p>	<p style="text-align: right;">105</p> <p>1 specifically other than receiving an email</p> <p>2 from him with the attached video.</p> <p>3 Q. Have you talked to him about the</p> <p>4 substance of the allegations made against</p> <p>5 you with regard to the Sperling testimony?</p> <p>6 A. I have not received any</p> <p>7 allegations. So it's difficult to answer</p> <p>8 the question because I still haven't</p> <p>9 received any allegations as to what the City</p> <p>10 is alleging I did wrong.</p> <p>11 Q. Have you talked to your father</p> <p>12 with regard to any of the allegations in the</p> <p>13 Spalding case?</p> <p>14 A. Again, I have not received any</p> <p>15 allegations of the Spalding case -- oh, I'm</p> <p>16 sorry, in the Spalding case?</p> <p>17 Q. Spalding case, right.</p> <p>18 You were initially named as a</p> <p>19 Defendant in the Spalding case, correct?</p> <p>20 A. Yes, yes.</p> <p>21 Q. It was before my time.</p> <p>22 A. Yes.</p> <p>23 Q. And did you communicate with your</p> <p>24 father about those allegations?</p>

<p style="text-align: right;">106</p> <p>1 A. I believe I did, yes.</p> <p>2 Q. And did you communicate in</p> <p>3 writing, by text or e-mail?</p> <p>4 A. I don't recall exactly how I</p> <p>5 communicated. I do recall speaking to him</p> <p>6 on the phone when I found out about it.</p> <p>7 Q. Did you tell him what the specific</p> <p>8 allegations with regard to you were?</p> <p>9 A. I believe -- I remember when I</p> <p>10 found out about the lawsuit, I was at work,</p> <p>11 and I believe I called him to see if he</p> <p>12 could find the complaint because I had not</p> <p>13 been served with any complaint, and I wasn't</p> <p>14 certain what allegations were made against</p> <p>15 me.</p> <p>16 Q. And did he do that for you?</p> <p>17 A. I don't recall if he found</p> <p>18 anything else at the time because I don't</p> <p>19 think I could find anything at the time. I</p> <p>20 think it was too new, and it wasn't entered</p> <p>21 in, or it wasn't in public record or on the</p> <p>22 Internet yet.</p> <p>23 Q. Have you ever communicated with</p> <p>24 your father about the substance of the</p>	<p style="text-align: right;">108</p> <p>1 A. It was settled.</p> <p>2 Q. Did you sign a settlement</p> <p>3 agreement in that case?</p> <p>4 A. I did not sign anything.</p> <p>5 Q. Did you pay any money with regard</p> <p>6 to the settlement of the Sperling case? You</p> <p>7 personally?</p> <p>8 MR. KING: Again, I object to the</p> <p>9 relevance of anything related to Sperling.</p> <p>10 You can answer, unless it's a</p> <p>11 confidential settlement to your knowledge.</p> <p>12 THE WITNESS: No.</p> <p>13 BY MR. TAREN:</p> <p>14 Q. No. No what?</p> <p>15 A. I am sorry. No to your question.</p> <p>16 I have not paid anything.</p> <p>17 Q. You have not paid any money for</p> <p>18 that?</p> <p>19 A. I have not personally paid any</p> <p>20 money.</p> <p>21 Q. Have you received a release of</p> <p>22 claims personally from Joseph Sperling with</p> <p>23 regard to any of the allegations made in the</p> <p>24 civil action against you?</p>
<p style="text-align: right;">107</p> <p>1 allegations that are in the Spalding case?</p> <p>2 A. I don't recall specifically what</p> <p>3 we spoke about. I am -- I believe we spoke</p> <p>4 about the complaint, but I don't recall the</p> <p>5 specifics of the conversation.</p> <p>6 Q. You are aware that the gravamen of</p> <p>7 Danny and Shannon's claims are that they</p> <p>8 were retaliated against because they</p> <p>9 cooperated in investigation of dirty cops;</p> <p>10 Watts and Mohammad?</p> <p>11 A. Yes.</p> <p>12 Q. Have you ever had any discussions</p> <p>13 with anyone about the truth or falsity of</p> <p>14 those allegations other than counsel, other</p> <p>15 than counsel?</p> <p>16 A. Not that I can recall.</p> <p>17 Q. With regard to the Sperling</p> <p>18 matter, there was a civil action that was</p> <p>19 filed as well, isn't that correct?</p> <p>20 A. Yes.</p> <p>21 Q. And you were named as a Defendant?</p> <p>22 A. I believe so, yes.</p> <p>23 Q. And that case was settled rather</p> <p>24 quickly, was it not?</p>	<p style="text-align: right;">109</p> <p>1 A. No.</p> <p>2 Q. Have you signed anything presented</p> <p>3 to you by the City of Chicago with respect</p> <p>4 to the civil action filed by Mr. Sperling?</p> <p>5 A. No, not that I can recall.</p> <p>6 Q. Have you ever given false</p> <p>7 testimony under oath in connection with your</p> <p>8 employment with the Chicago Police</p> <p>9 Department?</p> <p>10 A. I am going to assert my rights.</p> <p>11 Q. Are you aware of any other police</p> <p>12 officers associated in the Narcotics</p> <p>13 Division who have given false testimony</p> <p>14 under oath in connection with their</p> <p>15 employment?</p> <p>16 A. I am going to assert my rights.</p> <p>17 Q. Who else have you discussed</p> <p>18 anything to do with the allegations in the</p> <p>19 Spalding matter other than counsel and</p> <p>20 discussions with your father?</p> <p>21 A. My wife.</p> <p>22 Q. Anyone else?</p> <p>23 A. I don't recall specifically.</p> <p>24 Q. Have you ever talked to James</p>

<p style="text-align: right;">110</p> <p>1 O'Grady about any of the allegations that</p> <p>2 were made against him in the Spalding</p> <p>3 matter?</p> <p>4 A. No. I am not really aware what</p> <p>5 the allegations are against him.</p> <p>6 Q. Have you ever spoken with Nicholas</p> <p>7 Roti with regard to any of the allegations</p> <p>8 made by Shannon or Danny?</p> <p>9 A. No.</p> <p>10 Q. How about with Deborah Pascua?</p> <p>11 A. No.</p> <p>12 Q. Maurice Barnes?</p> <p>13 A. No.</p> <p>14 Q. Robert Cesario?</p> <p>15 A. No.</p> <p>16 Q. Joseph Salemme?</p> <p>17 A. No.</p> <p>18 Q. Thomas Mills?</p> <p>19 A. No.</p> <p>20 Q. Have you ever spoken with anyone</p> <p>21 at IAD with regard to the allegations that</p> <p>22 were made by Shannon Spalding and Danny</p> <p>23 Echeverria?</p> <p>24 A. I don't recall speaking to anyone</p>	<p style="text-align: right;">112</p> <p>1 please.</p> <p>2 (Whereupon, the record was</p> <p>3 read as requested.)</p> <p>4 THE WITNESS: Maybe I am not</p> <p>5 understanding the question. I don't know if</p> <p>6 she filed the lawsuit -- I don't believe she</p> <p>7 filed this lawsuit all because of me. Is</p> <p>8 that the question?</p> <p>9 BY MR. TAREN:</p> <p>10 Q. Yes.</p> <p>11 A. Okay. No, I don't believe that.</p> <p>12 Q. And are you aware of any motive</p> <p>13 that she has to lie about James O'Grady?</p> <p>14 A. I can only give you my own</p> <p>15 beliefs.</p> <p>16 Q. Sure.</p> <p>17 A. I believe it's monetary gain.</p> <p>18 Q. What do you base that on?</p> <p>19 A. I don't know exactly what else she</p> <p>20 would get out of this other than money.</p> <p>21 Q. In the course of your employment</p> <p>22 with the Chicago Police Department, were you</p> <p>23 aware of other officers who investigated</p> <p>24 dirty cops?</p>
<p style="text-align: right;">111</p> <p>1 in IAD regarding these allegations.</p> <p>2 Q. To your knowledge, is there an</p> <p>3 outstanding CR number with regard to any of</p> <p>4 the allegations made as a result of a civil</p> <p>5 action in Spalding versus City?</p> <p>6 A. Not that I'm aware of.</p> <p>7 Q. Have you been testifying</p> <p>8 truthfully today?</p> <p>9 A. Yes.</p> <p>10 Q. Do you know of any reason why</p> <p>11 Shannon Spalding would lie about what she</p> <p>12 claims you told her James O'Grady said about</p> <p>13 her?</p> <p>14 A. It's my belief that she is lying</p> <p>15 because she is upset that her boyfriend and</p> <p>16 I got into a business arrangement that ended</p> <p>17 poorly.</p> <p>18 Q. And when did that business</p> <p>19 arrangement end?</p> <p>20 A. I believe it was the end of 2011.</p> <p>21 Q. And do you believe that her</p> <p>22 allegations, therefore, that are contained</p> <p>23 in this lawsuit are all as a result of you?</p> <p>24 A. I'm sorry, can you read that back,</p>	<p style="text-align: right;">113</p> <p>1 A. It's a difficult question to</p> <p>2 answer. I know of people who have come from</p> <p>3 Internal Affairs, and they investigate</p> <p>4 allegations against police officers. I</p> <p>5 know -- I believe Commander O'Grady came</p> <p>6 from Internal Affairs. My assumption would</p> <p>7 be that he investigated officers that</p> <p>8 allegations were made about.</p> <p>9 I know another sergeant that</p> <p>10 O'Grady brought to the unit, Rick Herrera,</p> <p>11 came from Internal Affairs. I would assume</p> <p>12 that he investigated allegations against</p> <p>13 police officers. But again, I am not</p> <p>14 certain what their role was in Internal</p> <p>15 Affairs.</p> <p>16 Q. Have you observed how officers who</p> <p>17 criminally investigate other police officers</p> <p>18 are treated on the job?</p> <p>19 MR. KING: I'd just object to the</p> <p>20 lack of foundation. I am not sure he's</p> <p>21 testified that he's aware of any, yet you</p> <p>22 can answer.</p> <p>23 THE WITNESS: I'm aware of the</p> <p>24 Internal Affairs sergeant who played a part</p>

<p style="text-align: right;">114</p> <p>1 in my investigation, and I am still able to</p> <p>2 freely speak to him and have a fine</p> <p>3 relationship with him.</p> <p>4 BY MR. TAREN:</p> <p>5 Q. Have you written in your blog or</p> <p>6 in your book about anything relating to the</p> <p>7 code of silence within the Chicago Police</p> <p>8 Department?</p> <p>9 MR. KING: I'd just object to the</p> <p>10 form of the question and lack of foundation.</p> <p>11 If you understand the</p> <p>12 question, you can answer.</p> <p>13 THE WITNESS: I don't recall</p> <p>14 making any writings regarding a code of</p> <p>15 silence within the police department.</p> <p>16 BY MR. TAREN:</p> <p>17 Q. Have you heard that term used in</p> <p>18 the past?</p> <p>19 A. Yes.</p> <p>20 Q. What is your understanding of what</p> <p>21 that term refers to?</p> <p>22 A. My understanding is that if police</p> <p>23 officers see wrongdoing by other police</p> <p>24 officers, that they could potentially remain</p>	<p style="text-align: right;">116</p> <p>1 you were referring to earlier that you could</p> <p>2 still talk to, who is that?</p> <p>3 A. Sergeant Mike Barz.</p> <p>4 Q. Did you ever speak with Sergeant</p> <p>5 Barz about anything to do with Danny and</p> <p>6 Shannon?</p> <p>7 A. Not that I can recall.</p> <p>8 Q. Let me just check and see if we</p> <p>9 are done here.</p> <p>10 Have you been notified how</p> <p>11 long you may remain in the 311 center?</p> <p>12 A. No.</p> <p>13 Q. Have any formal proceedings,</p> <p>14 disciplinary in nature, been taken against</p> <p>15 you as a result of the Sperling matter?</p> <p>16 A. No.</p> <p>17 Q. What about as a result of the</p> <p>18 Hernandez matter?</p> <p>19 A. No.</p> <p>20 Q. And what about as a result of any</p> <p>21 of the allegations in the Spalding case?</p> <p>22 A. No.</p> <p>23 MR. TAREN: That's all I have.</p> <p>24 MR. KING: I don't have any</p>
<p style="text-align: right;">115</p> <p>1 silent.</p> <p>2 Q. When did you first hear about that</p> <p>3 concept?</p> <p>4 A. I don't -- I don't recall if it</p> <p>5 was on TV or in the movies or when.</p> <p>6 Q. Is it your belief that there is</p> <p>7 such a code of silence within the Chicago</p> <p>8 Police Department?</p> <p>9 A. I don't believe so.</p> <p>10 Q. You are aware that allegations of</p> <p>11 such a code have been made in the past,</p> <p>12 isn't that true?</p> <p>13 A. Yes.</p> <p>14 Q. Are you aware of the reluctance of</p> <p>15 police officers to inform on other police</p> <p>16 officers that they observe doing acts that</p> <p>17 might be considered criminal?</p> <p>18 MR. KING: Object to the lack of</p> <p>19 foundation.</p> <p>20 You can answer.</p> <p>21 THE WITNESS: I don't have any</p> <p>22 specific knowledge on that.</p> <p>23 BY MR. TAREN:</p> <p>24 Q. By the way, the IAD officer that</p>	<p style="text-align: right;">117</p> <p>1 questions.</p> <p>2 We will reserve.</p> <p>3</p> <p>4 (FURTHER DEPONENT SAITH NOT.)</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

James Padar Spalding, Echeverria v. City of Chicago

5/21/15

<p style="text-align: right;">118</p> <p>1 IN THE UNITED STATES DISTRICT COURT 2 NORTHERN DISTRICT OF ILLINOIS 3 EASTERN DIVISION 4 5 CHICAGO POLICE 6 OFFICERS SHANNON 7 SPALDING and 8 DANIEL ECHEVERRIA, 9 Plaintiffs, 10 vs. 11 CITY OF CHICAGO, 12 CHICAGO POLICE 13 CHIEF JUAN RIVERA, 14 et al., 15 Defendants. 16 I, JAMES PADAR, being first duly 17 sworn, on oath say that I am the deponent in 18 the aforesaid deposition taken on May 19 21, 2015; that I have read the foregoing 20 transcript of my deposition, consisting of 21 pages 1 - 121, and affix my signature to 22 same. 23 JAMES PADAR 24 Number of errata sheets attached____</p> <p>Subscribed and sworn to before me this day of , 2016.</p> <p>Notary Public</p>	<p style="text-align: right;">120</p> <p>1 Transcription, and the foregoing is a true 2 and correct transcript of the testimony so 3 given by said witness as aforesaid. 4 I further certify that the signature 5 to the foregoing deposition was reserved by 6 counsel for the respective parties and that 7 there were present at the deposition the 8 attorneys hereinbefore mentioned. 9 I further certify that I am not 10 counsel for nor in any way related to the 11 parties to this suit, nor am I in any way 12 interested in the outcome thereof. 13 IN TESTIMONY WHEREOF: I have hereunto 14 set my hand and affixed my notarial seal 15 this 17th day of January, 2016. 16 17 18 19 NOTARY PUBLIC, DU PAGE COUNTY, ILLINOIS 20 C.S.R. No. 084-002306 21 22 23 24</p>
<p style="text-align: right;">119</p> <p>1 STATE OF ILLINOIS) 2) SS: 3 COUNTY OF DU PAGE) 4 5 I, MARIBETH REILLY, a notary public 6 within and for the County of DuPage County 7 and State of Illinois, do hereby certify 8 that heretofore, to-wit, on May 21, 2015, 9 personally appeared before me, at One North 10 LaSalle Street, Chicago, Illinois, JAMES 11 PADAR, in a cause now pending and 12 undetermined in the Northern District of 13 Illinois, wherein Chicago Police Officers 14 SHANNON SPALDING and DANIEL ECHEVERRIA are 15 the Plaintiffs, and CITY OF CHICAGO, et al., 16 are the Defendants. 17 I further certify that the said JAMES 18 PADAR was first duly sworn to testify the 19 truth, the whole truth and nothing but the 20 truth in the cause aforesaid; that the 21 testimony then given by said witness was 22 reported stenographically by me in the 23 presence of the said witness, and afterwards 24 reduced to typewriting by Computer-Aided</p>	<p style="text-align: right;">121</p> <p>1 (James Padar, 5/2/15 - Spalding v. City) 2 ERRATA SHEET 3 PG/LN CORRECTION 4 ____/____ Change from:_____ 5 Change to:_____ 6 ____/____ Change from:_____ 7 Change to:_____ 8 ____/____ Change from:_____ 9 Change to:_____ 10 ____/____ Change from:_____ 11 Change to:_____ 12 ____/____ Change from:_____ 13 Change to:_____ 14 ____/____ Change from:_____ 15 Change to:_____ 16 ____/____ Change from:_____ 17 Change to:_____ 18 ____/____ Change from:_____ 19 Change to:_____ 20 ____/____ Change from:_____ 21 Change to:_____ 22 ____/____ Change from:_____ 23 Change to:_____ 24 WITNESS SIGNATURE:_____</p>

31 (Pages 118 to 121)

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<p style="text-align: right;">122</p> <p>1 (James Padar, 5/2/15 - Spalding v. City)</p> <p>2 ERRATA SHEET</p> <p>3 PG/LN CORRECTION</p> <p>4 ___/___ Change from:_____</p> <p>5 Change to:_____</p> <p>6 ___/___ Change from:_____</p> <p>7 Change to:_____</p> <p>8 ___/___ Change from:_____</p> <p>9 Change to:_____</p> <p>10 ___/___ Change from:_____</p> <p>11 Change to:_____</p> <p>12 ___/___ Change from:_____</p> <p>13 Change to:_____</p> <p>14 ___/___ Change from:_____</p> <p>15 Change to:_____</p> <p>16 ___/___ Change from:_____</p> <p>17 Change to:_____</p> <p>18 ___/___ Change from:_____</p> <p>19 Change to:_____</p> <p>20 ___/___ Change from:_____</p> <p>21 Change to:_____</p> <p>22 ___/___ Change from:_____</p> <p>23 Change to:_____</p> <p>24 WITNESS SIGNATURE:_____</p>	

Exhibit J

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CHICAGO POLICE OFFICER)
SHANNON SPALDING and)
CHICAGO POLICE OFFICER)
DANIEL ECHEVERRIA,)
)
Plaintiffs,)
)
-vs-) No. 12 C 8777
)
CITY OF CHICAGO, et al) Judge Feinerman
)
Defendants.)

The deposition of LIEUTENANT JUAN RIVERA,
taken pursuant to the Federal Rules of Civil Procedure
of the United States District Courts pertaining to the
taking of depositions, taken before CHRISTINE
LIUBICICH, Certified Shorthand Reporter of the State of
Illinois, at One North LaSalle Street, Suite 3040
Chicago, Illinois, on Thursday, December 4, 2014, at
1:00 p.m.

<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES:</p> <p>2 CHRISTOPHER SMITH TRIAL GROUP</p> <p>3 One North LaSalle Street</p> <p>4 Suite 3040</p> <p>5 Chicago, Illinois 60602, by</p> <p>6 MR. CHRISTOPHER SMITH</p> <p>7 office@crstrialgroup.com</p> <p>8</p> <p>9 appeared on behalf of Plaintiffs;</p> <p>10</p> <p>11 DRINKER BIDDLE & REATH LLP</p> <p>12 191NorthWacker Drive</p> <p>13 Suite 3700</p> <p>14 Chicago, Illinois 60606-1698, by</p> <p>15 MR. ALAN S. KING</p> <p>16 Alan.King@dbr.com</p> <p>17</p> <p>18 appeared on behalf of Defendants.</p> <p>19</p> <p>20 ALSO PRESENT:</p> <p>21</p> <p>22 SHANNON SPAULDING.</p> <p>23</p> <p>24 REPORTED BY CHRISTINE LIUBICICH, CSR.</p>	<p style="text-align: right;">Page 4</p> <p>1 Exhibit No. 16 E-mail136</p> <p>2 Exhibit No. 17 E-mail137</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
<p style="text-align: right;">Page 3</p> <p>1 I N D E X</p> <p>2 WITNESS PAGE</p> <p>3 LIEUTENANT JUAN RIVERA</p> <p>4 Examination By Mr. Smith5</p> <p>5</p> <p>6 E X H I B I T S</p> <p>7</p> <p>8 MARKED</p> <p>9 NUMBER FOR ID</p> <p>10 Lieutenant Juan Rivera Deposition Exhibit</p> <p>11 Exhibit No. 1 Letter of recommendation9</p> <p>12 Exhibit No. 2 Overtime slips115</p> <p>13 Exhibit No. 3 Counseling session report115</p> <p>14 Exhibit No. 4 E-mail118</p> <p>15 Exhibit No. 5 E-mail119</p> <p>16 Exhibit No. 6 Notice120</p> <p>17 Exhibit No. 7 E-mail122</p> <p>18 Exhibit No. 8 E-mail124</p> <p>19 Exhibit No. 9 E-mail125</p> <p>20 Exhibit No. 10 E-mail126</p> <p>21 Exhibit No. 11 E-mail128</p> <p>22 Exhibit No. 12 E-mail128</p> <p>23 Exhibit No. 13 E-mail132</p> <p>24 Exhibit No. 14 Note133</p> <p>25 Exhibit No. 15 Two e-mails134</p>	<p style="text-align: right;">Page 5</p> <p>1 (Witness duly sworn.)</p> <p>2 LIEUTENANT JUAN RIVERA,</p> <p>3 called as a witness herein, having been first duly</p> <p>4 sworn, was examined and testified as follows:</p> <p>5 EXAMINATION</p> <p>6 BY MR. SMITH:</p> <p>7 Q. Can you please state your name and spell your</p> <p>8 name for the court reporter?</p> <p>9 A. Juan, J-U-A-N, Rivera, R-I-V-E-R-A.</p> <p>10 Q. What is your current position?</p> <p>11 A. I'm the Chief of the Bureau of Internal</p> <p>12 Affairs.</p> <p>13 Q. Did you review any documents in preparation</p> <p>14 for this deposition?</p> <p>15 A. Yes.</p> <p>16 Q. What documents did you review?</p> <p>17 A. I believe it was certain e-mails, reports, I</p> <p>18 think, was tendered to you for discovery.</p> <p>19 Q. Do you recall any e-mails in particular that</p> <p>20 you reviewed?</p> <p>21 A. I think there were e-mails between myself and</p> <p>22 some of the exempts, Kirby. I believe e-mails from</p> <p>23 Echeverria.</p> <p>24 Q. What reports did you review?</p>

<p style="text-align: right;">Page 6</p> <p>1 A. Some of the reports that were generated by</p> <p>2 Echeverria.</p> <p>3 Q. Were there reports in connection with</p> <p>4 Operation Brass Tacks or reports relating to</p> <p>5 Mr. Echeverria outside of Brass Tacks?</p> <p>6 A. It was related to Brass Tacks.</p> <p>7 Q. I'm going to ask you basically why don't</p> <p>8 we --</p> <p>9 First of all, before you were a Chicago</p> <p>10 police officer, did you have any other law enforcement</p> <p>11 jobs?</p> <p>12 A. No.</p> <p>13 Q. What was your first assignment after the</p> <p>14 Academy.</p> <p>15 A. After the Academy I was a patrol officer in</p> <p>16 the 3rd District.</p> <p>17 Q. What did you do after that? And when was</p> <p>18 that that you started?</p> <p>19 A. I started the Academy in '86. I believe I</p> <p>20 was in the 3rd District until '89.</p> <p>21 Q. Then what was your next assignment?</p> <p>22 A. I was detailed to the gun -- a gun task force</p> <p>23 specialized unit.</p> <p>24 Q. Then what was your next assignment?</p>	<p style="text-align: right;">Page 8</p> <p>1 Q. Where did you go after that?</p> <p>2 A. I was promoted to lieutenant and assigned to</p> <p>3 the 5th District.</p> <p>4 Q. And then where did you go after that?</p> <p>5 A. From there I was assigned to Internal Affairs</p> <p>6 as lieutenant in charge of the confidential</p> <p>7 investigation section.</p> <p>8 Q. So what year was that?</p> <p>9 A. I believe 2004.</p> <p>10 Q. What was next assignment?</p> <p>11 A. From there I was promoted to commander of the</p> <p>12 25th District. I believe that was in '05.</p> <p>13 Q. And where would you go after that?</p> <p>14 A. After commander of the 25th District I was --</p> <p>15 I took a lateral move to Area 4 Detective Division</p> <p>16 Commander, Detectives.</p> <p>17 Q. And then where did you go after that?</p> <p>18 A. From there I was promoted to deputy chief and</p> <p>19 I was put in charge of Area 5.</p> <p>20 Q. When was that?</p> <p>21 A. It would have been -- Let's see. Probably</p> <p>22 '08, somewhere in that range.</p> <p>23 Q. And where were you moved to after that?</p> <p>24 A. From there I went to, I was promoted to chief</p>
<p style="text-align: right;">Page 7</p> <p>1 A. From there I went to the 1st District as a</p> <p>2 Tact officer.</p> <p>3 THE COURT REPORTER: T-A --</p> <p>4 THE WITNESS: Tactical officer.</p> <p>5 BY MR. SMITH:</p> <p>6 Q. After that where did you go?</p> <p>7 A. I was promoted to sergeant. I went to the</p> <p>8 4th District as a sergeant.</p> <p>9 Q. When was that?</p> <p>10 A. '94, I believe.</p> <p>11 Q. And what was the next assignment after that?</p> <p>12 A. From there I was detailed to Summer Mobile as</p> <p>13 a sergeant in '96, I believe.</p> <p>14 Q. After that where were you assigned?</p> <p>15 A. From there I went to Narcotics.</p> <p>16 Q. How long were you at Narcotics?</p> <p>17 A. I was there till, I'd say, 2003.</p> <p>18 Q. So from what about --</p> <p>19 A. '96 or so.</p> <p>20 Q. To 2003?</p> <p>21 A. Yes.</p> <p>22 Q. Did you supervise a convicted officer by the</p> <p>23 name of Len Lewellyn during that time?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 9</p> <p>1 and was put in charge of the Bureau of Internal</p> <p>2 Affairs.</p> <p>3 Q. Do you know the date specifically you were</p> <p>4 promoted to chief and put in charge of the</p> <p>5 Bureau of Internal Affairs?</p> <p>6 A. I don't know, March of '09, I believe, is</p> <p>7 when I --</p> <p>8 Q. March of 2009.</p> <p>9 A. Yes.</p> <p>10 Q. And then were moved at any time after that?</p> <p>11 A. No, still in place. Presently still there.</p> <p>12 Q. I'm going to show you what has been marked</p> <p>13 as -- or I will have marked as Rivera deposition</p> <p>14 Exhibit No. 1 for identification.</p> <p>15 (Lieutenant Juan Rivera Exhibit 1</p> <p>16 marked.)</p> <p>17 BY MR. SMITH:</p> <p>18 Q. And it's also Bates stamped DEFS1527; do you</p> <p>19 recognize that document?</p> <p>20 A. Yes.</p> <p>21 Q. What do you recognize Exhibit No. 1 to be?</p> <p>22 A. It's my letter of recommendation for</p> <p>23 Officer Echeverria to be considered for assignment in</p> <p>24 the fugitive.</p>

<p style="text-align: right;">Page 10</p> <p>1 Q. Did you also do a letter of recommendation --</p> <p>2 And this is dated February 22, 2012.</p> <p>3 A. Correct.</p> <p>4 Q. Did you do a letter of recommendation for</p> <p>5 Officer Shannon Spalding at that time, also?</p> <p>6 A. I believe so, yes.</p> <p>7 Q. And if you could take a look at the letter of</p> <p>8 recommendation and I'm going to ask you if you believe</p> <p>9 everything in that letter of recommendation to be</p> <p>10 correct in your opinion?</p> <p>11 A. Again, this is based on my conversations with</p> <p>12 the officer when I inquired as to his accomplishments.</p> <p>13 So that's what I based it on.</p> <p>14 Q. Well, did you believe -- Did you believe you</p> <p>15 were truthfully stating your opinions of Mr. Echeverria</p> <p>16 when you made this letter of recommendation?</p> <p>17 A. I had no reason at the time to doubt the</p> <p>18 officer, so I ...</p> <p>19 Q. And then with respect to the letter of</p> <p>20 recommendation that you did for Shannon Spalding, did</p> <p>21 you also believe you were being accurate when creating</p> <p>22 that letter of recommendation?</p> <p>23 MR. KING: Object to the form. I think it</p> <p>24 misstates his testimony. But you can answer it if you</p>	<p style="text-align: right;">Page 12</p> <p>1 A. Yes. Not -- Not at the time he was detailed,</p> <p>2 but after he was already there I took the position of</p> <p>3 the chief. He was already in place, yes.</p> <p>4 Q. And you were at the time you wrote this</p> <p>5 letter, correct?</p> <p>6 A. That's correct.</p> <p>7 Q. And you indicated that Officer Echeverria was</p> <p>8 instrumental in a highly confidential investigation</p> <p>9 involving corrupt police personnel, correct?</p> <p>10 A. Yes, he provided a source.</p> <p>11 Q. And you believe that -- You were aware of</p> <p>12 what -- that Mr. Echeverria was involved in a highly</p> <p>13 confidential investigation, correct?</p> <p>14 A. Yes.</p> <p>15 Q. In fact you were -- You were overseeing, at</p> <p>16 least in part, that investigation with the FBI?</p> <p>17 A. It was a joint -- joint operation, yes. I</p> <p>18 wasn't -- I wasn't overseeing it. It was just</p> <p>19 cooperating the with the federal investigation.</p> <p>20 Q. You're not indicating that you didn't agree</p> <p>21 with that sentence that you wrote at the time of this</p> <p>22 letter, correct?</p> <p>23 A. Correct.</p> <p>24 Q. And you were aware that Mr. Echeverria and</p>
<p style="text-align: right;">Page 11</p> <p>1 understand it.</p> <p>2 BY THE WITNESS:</p> <p>3 A. Again, it's based largely on a conversation</p> <p>4 that I with the officer and their explanation of their</p> <p>5 work history.</p> <p>6 And again, I had no reason to doubt the</p> <p>7 officers.</p> <p>8 BY MR. SMITH:</p> <p>9 Q. Well, let's go through it then.</p> <p>10 A. Uh-huh.</p> <p>11 Q. Did you unequivocally recommend after</p> <p>12 Officer Daniel Echeverria for consideration of the</p> <p>13 assignment of the Department Fugitive Units on</p> <p>14 February 22, 2012?</p> <p>15 A. Yes.</p> <p>16 Q. Did you also do that for Shannon Spalding?</p> <p>17 A. Yes.</p> <p>18 Q. It notes here:</p> <p>19 "Officer Echeverria is currently detailed</p> <p>20 into the Bureau of Internal Affairs from the Narcotics</p> <p>21 Unit"; do you see that sentence?</p> <p>22 A. Yes.</p> <p>23 Q. And you were the chief of the</p> <p>24 Bureau of Internal Affairs, correct?</p>	<p style="text-align: right;">Page 13</p> <p>1 Miss Spalding were involved in extensive surveillance,</p> <p>2 federal wire taps, use of confidential informant and</p> <p>3 the ultimately covert operations, correct?</p> <p>4 MR. KING: Just object to the form of the</p> <p>5 question.</p> <p>6 Go ahead.</p> <p>7 BY THE WITNESS:</p> <p>8 A. Again, I'm basing it on what I had been told</p> <p>9 and had learned when I arrived there as the chief.</p> <p>10 BY MR. SMITH:</p> <p>11 Q. You were aware of Operation Brass Tacks,</p> <p>12 correct?</p> <p>13 A. That's correct.</p> <p>14 Q. In fact, you were getting documents even from</p> <p>15 the FBI for your review; isn't that correct?</p> <p>16 A. No, I was not.</p> <p>17 Q. You've never seen any of the documents</p> <p>18 prepared by FBI personnel relating to</p> <p>19 Operation Brass Tacks?</p> <p>20 A. No, that's strictly all -- As far as I'm</p> <p>21 concerned, or at least I was told, that's grand jury,</p> <p>22 16 material.</p> <p>23 Q. And you were getting to-from memos to you</p> <p>24 from Mr. Echeverria and Miss Spalding regarding things</p>

<p style="text-align: right;">Page 14</p> <p>1 that they were doing in connection with that?</p> <p>2 A. Yes. Throughout the time frame that this was</p> <p>3 going on I would get certain reports from them.</p> <p>4 Q. On February 22, 2012 you believed that to be</p> <p>5 true that Mr. Echeverria was involved in extensive</p> <p>6 surveillance, federal wire taps, use of confidential</p> <p>7 informant and the ultimately covert operations,</p> <p>8 correct?</p> <p>9 A. I believe that to be true, yes.</p> <p>10 Q. Do you have any reason to believe that's not</p> <p>11 true at this time?</p> <p>12 A. Again, I have no reason to doubt it.</p> <p>13 Q. You indicated.</p> <p>14 "That his experience, knowledge and</p> <p>15 exceptional efforts contributed to the successful</p> <p>16 conclusion of Operation Brass Tacks, correct?</p> <p>17 A. Yes.</p> <p>18 Q. And in your conclusion -- In your opinion</p> <p>19 Operation Brass Tacks had a successful conclusion?</p> <p>20 A. Yes.</p> <p>21 Q. And you had no reason at this point in time</p> <p>22 to not believe that Mr. Echeverria made exceptional</p> <p>23 efforts to the contribute to this that success?</p> <p>24 A. I'm sorry. Can you repeat that?</p>	<p style="text-align: right;">Page 16</p> <p>1 "Officed Echeverria also has extensive</p> <p>2 experience as a gang tactical officer working in public</p> <p>3 housing complexes which is ing challenge environment,"</p> <p>4 correct?</p> <p>5 A. Yes, I indicated that.</p> <p>6 Q. And you were aware that Shannon Spalding was</p> <p>7 also involved in public housing, correct?</p> <p>8 A. Yes.</p> <p>9 Q. As a tactical officer?</p> <p>10 A. This is based on what the officers related to</p> <p>11 me.</p> <p>12 Q. You agree that both Shannon Spalding and</p> <p>13 Daniel Echeverria have extensive experiences as gang</p> <p>14 tactical officers working in public housing, correct?</p> <p>15 MR. KING: Object to the form. Asked and</p> <p>16 answered.</p> <p>17 BY THE WITNESS:</p> <p>18 A. Again, I had no reason do doubt.</p> <p>19 BY MR. SMITH:</p> <p>20 Q. Have you ever reviewed any of their</p> <p>21 performance review?</p> <p>22 A. No.</p> <p>23 Q. You were aware that -- You had learned that</p> <p>24 Officer Echeverria and Officer Spalding were</p>
<p style="text-align: right;">Page 15</p> <p>1 Q. You had no reason to believe at this time</p> <p>2 that Mr. Echeverria did not make exceptional efforts to</p> <p>3 contribute to that successful conclusion?</p> <p>4 A. No, I -- I -- I believe they made the effort.</p> <p>5 Q. And the same for Shannon Spalding?</p> <p>6 A. That's correct.</p> <p>7 Q. You indicated in the second paragraph:</p> <p>8 "Mr. Echeverria's willingness to take on some</p> <p>9 of the most dangerous and highly sensitive assignments</p> <p>10 demonstrate his commitment to the department's</p> <p>11 mission," correct?</p> <p>12 A. Yes.</p> <p>13 Q. Did you believe that at the time you wrote</p> <p>14 that?</p> <p>15 A. I had no reason to doubt the officer.</p> <p>16 Q. Do you have any reason to doubt that at this</p> <p>17 time?</p> <p>18 A. No.</p> <p>19 Q. Did you also say that about Shannon Spalding?</p> <p>20 A. Yes.</p> <p>21 Q. Do you have any reason to doubt that at this</p> <p>22 time?</p> <p>23 A. No.</p> <p>24 Q. You also put in the third paragraph:</p>	<p style="text-align: right;">Page 17</p> <p>1 instrumental in the successful conclusion of</p> <p>2 Operation Fall Out?</p> <p>3 A. Yes.</p> <p>4 Q. And you indicated that you believe that</p> <p>5 Officer Echeverria possesses the necessary skills and</p> <p>6 traits that would allow him to contribute tremendously</p> <p>7 to the department's Fugitive Unit, correct?</p> <p>8 MR. KING: Just show a continuing objection to the</p> <p>9 form of the questions.</p> <p>10 He testified the basis of that knowledge and</p> <p>11 then Counsel is asking him questions without</p> <p>12 referencing the basis of that knowledge. I think it's</p> <p>13 improper form.</p> <p>14 But you can answer his question.</p> <p>15 BY THE WITNESS:</p> <p>16 A. Again, I had no reason to doubt the officers.</p> <p>17 BY MR. SMITH:</p> <p>18 Q. And you indicated in your recommendation that</p> <p>19 it was your belief that Officer Echeverria possessed</p> <p>20 the necessary skills and traits that would allow to</p> <p>21 contribute tremendously it the department's</p> <p>22 Fugitive Unit, correct?</p> <p>23 A. It was my belief at the time, yes.</p> <p>24 Q. Is there anything that's occurred since that</p>

<p style="text-align: right;">Page 18</p> <p>1 time that you're aware of that has changed your view of 2 that? 3 A. I haven't had any contact with the officer, 4 so no. 5 Q. In terms of Officer Shannon Spalding, you 6 also believed that she possessed the necessary skills 7 and traits that would allow her to contribute 8 tremendously to the department's Fugitive Unit? 9 A. That was my belief, yes. 10 Q. Has anything changed that belief? 11 A. Again, I have not had any contact with the 12 officer since then, so no. 13 Q. When is the first time that you met 14 Officer Shannon Spalding, if you recall? 15 A. I'm not sure of date, but it was shortly 16 after I took the position of chief. 17 Q. And what were the circumstances in which you 18 met Officer Shannon Spalding? 19 A. Scahill -- During the transition, Scahill 20 actually walked into my office and introduced me to the 21 officers. 22 Q. The officers, Danny and Shannon? 23 A. Yes. 24 Q. Who else was present during that meeting?</p>	<p style="text-align: right;">Page 20</p> <p>1 money from the drug sellers. 2 Q. Did she tell you the name of the officers at 3 that time? 4 A. She mentioned -- I think it's the 5 Sergeant Watts, the officer, I believe, Mohammed. 6 Q. Were you familiar with Sergeant Watt's name 7 from your time previously within Internal Affairs? 8 A. I don't think at that meeting, but 9 eventually, yes, I recalled -- After reading some 10 reports, I recalled that back I believe in 2004 there 11 was a complaint made and investigation initiated on the 12 same information. 13 Q. Do you recall that you assigned that 14 complaint to Thomas Mill? 15 A. That I don't recall. I believe the agent 16 that was with me was -- I might be mistaken, but 17 believe it was Caldwell, I believe. 18 Q. Did Tina Scahill tell you anything else at 19 the time? 20 A. No, that's it. Again, she didn't stay. 21 Q. Did Tina Scahill tell you what Shannon and 22 Danny's assignments were at that time? 23 A. Again, other than they were handling the 24 informant.</p>
<p style="text-align: right;">Page 19</p> <p>1 A. Just Scahill and myself and the officers. 2 Q. What were you informed of at that time? 3 A. She briefed me on their role in the 4 investigation of Brass Tacks. 5 Q. And what did she tell you that their role was 6 within Brass Tacks? 7 A. Essentially that they had -- They had 8 provided a source and that they were handling or 9 handlers -- They were be handling the source. 10 Q. Anything else? 11 A. That was it. She didn't stay long. She left 12 after the introduction and the briefing. 13 Q. Was there any information given about the 14 investigation itself in that meeting? 15 A. Not from -- from -- Who? From anyone in 16 particular? Scahill didn't, other than briefing me as 17 to their involvement. She didn't give me a status or 18 anything regarding the investigation. 19 Q. Did she tell you what the investigation was 20 about? 21 A. Yes. 22 Q. And what did she tell you that was? 23 A. She told me it was regarding a sergeant and 24 an officer that were, I believe she put it, extorting</p>	<p style="text-align: right;">Page 21</p> <p>1 Q. Did you talk to Danny and Shannon at that 2 point in time? 3 A. Yes, I did. 4 Q. What did you say to them and what did they 5 say to you? 6 A. They basically stated that -- which kind of 7 through me a little bit, but they were like, well, this 8 is a good investigation. We were looking to get 9 promoted -- or task force from this investigation. And 10 at that point I asked, Well, is it at the point where 11 it's going to be concluded here shortly and they were 12 like, no. I said, well, where exactly is it? And from 13 what I recall, they were telling me that they were 14 still trying to create a scenario or a sting utilizing 15 their informant. 16 Q. Did they tell you anything else at that time? 17 A. I think for the most part that was -- that I 18 could recall more or less the gist of the conversation. 19 Q. Did you recall which one of them said those 20 things? 21 A. Shannon, I believe was the one who was 22 talking. 23 Q. In terms of -- So at that time you were aware 24 that were working with the FBI, correct?</p>

<p style="text-align: right;">Page 22</p> <p>1 A. Yes.</p> <p>2 Q. Were you told that the investigation was --</p> <p>3 Were you told at all who knew of their involvement in</p> <p>4 the investigation?</p> <p>5 A. They kind of filled me in on -- I can't</p> <p>6 remember the dates, but they told me how they came</p> <p>7 across the source and how they passed the information</p> <p>8 along to the FBI, and as a result they were asked to</p> <p>9 work with Internal Affairs and the FBI regarding the</p> <p>10 investigation.</p> <p>11 Q. Did you ever learn that to be untrue?</p> <p>12 A. No.</p> <p>13 Q. Did you have an understanding of who within</p> <p>14 the Chicago Police Department was aware at that point</p> <p>15 in time that Shannon and Danny were investigating</p> <p>16 police officers misconduct?</p> <p>17 A. Well, as far as -- Again, from the</p> <p>18 conversation, they told me that their superiors were</p> <p>19 aware of it and they allowed them to assist.</p> <p>20 Q. Who did you believe was their superiors?</p> <p>21 A. I would assume O'Grady and I'm assuming their</p> <p>22 sergeant and I have no idea who he is, but their</p> <p>23 Sergeant O'Grady and Roti.</p> <p>24 Q. Did they ever tell you specifically that</p>	<p style="text-align: right;">Page 24</p> <p>1 BY THE WITNESS:</p> <p>2 A. Again, that would be me speculating, but I</p> <p>3 would assume everybody above Scahill. I would assume</p> <p>4 she would be briefing her superiors.</p> <p>5 BY MR. SMITH:</p> <p>6 Q. Who would that have been at the time?</p> <p>7 A. Obviously, I'm not sure who she would have</p> <p>8 briefed, but it would have been whoever was her</p> <p>9 superior, including, I would assume, the superintendent</p> <p>10 at that time.</p> <p>11 Q. Who was that?</p> <p>12 A. I think -- believe, Weese.</p> <p>13 Q. Anybody else who was above her besides Weese?</p> <p>14 A. I'm not sure if Brus would have known or --</p> <p>15 Q. Did you find it unusual in any way that</p> <p>16 Officer O'Grady would have known that --</p> <p>17 A. What was that?</p> <p>18 Q. Did you find it unusual at all that Shannon</p> <p>19 said that Officer O'Grady knew that she was</p> <p>20 investigating undercover -- I mean police officers for</p> <p>21 wrongdoing?</p> <p>22 A. Commander O'Grady?</p> <p>23 Q. Commander O'Grady.</p> <p>24 A. That's her superior. Obviously, they would</p>
<p style="text-align: right;">Page 23</p> <p>1 O'Grady was aware -- and that in this meeting that</p> <p>2 O'Grady was aware that they were investigating</p> <p>3 undercover police?</p> <p>4 A. Yes, they told me.</p> <p>5 Q. Did they tell you personally that they were</p> <p>6 aware that Roti was aware that they were investigation</p> <p>7 undercover police?</p> <p>8 A. Yes.</p> <p>9 Q. I mean, police officers for corruption?</p> <p>10 A. Yes.</p> <p>11 Q. Do you know who said that?</p> <p>12 A. Shannon .</p> <p>13 Q. Was Officer Scahill in the room at that point</p> <p>14 in time?</p> <p>15 A. No.</p> <p>16 Q. Who else did you believe knew about them</p> <p>17 investigating police officers?</p> <p>18 MR. KING: Object to the form.</p> <p>19 MR. SMITH: At that point in time?</p> <p>20 MR. KING: Who else did she tell him, or who did</p> <p>21 he believe?</p> <p>22 MR. SMITH: Who was it his belief that was aware</p> <p>23 that they were investigating police officers.</p> <p>24</p>	<p style="text-align: right;">Page 25</p> <p>1 have had to give her permission to work the operations.</p> <p>2 Q. Did Tina Scahill ever tell you that</p> <p>3 officer -- Commander O'Grady was aware that they were</p> <p>4 working that mission?</p> <p>5 A. No.</p> <p>6 Q. Did Tina Scahill ever tell you that Roti was</p> <p>7 aware they were working that mission?</p> <p>8 A. No, Tina didn't.</p> <p>9 Q. Did you make a list of -- in any way of all</p> <p>10 the people who with aware of -- that you believe were</p> <p>11 aware that Shannon and Danny were working an</p> <p>12 investigation of corrupt police officers?</p> <p>13 A. No.</p> <p>14 Q. Did you think it was important to be aware of</p> <p>15 who was in the know of this investigation?</p> <p>16 A. I just assumed they had been working on it, I</p> <p>17 don't know how many years, prior to me arriving there</p> <p>18 that, you know -- Those were her superiors. They</p> <p>19 would, obviously, have given her permission to</p> <p>20 cooperate in the investigation.</p> <p>21 Q. Why did you assume that?</p> <p>22 A. That's what Shannon told me.</p> <p>23 Q. So only because Shannon told you you assumed</p> <p>24 it?</p>

<p style="text-align: right;">Page 26</p> <p>1 A. No, not just because she told me and, 2 obviously, she's not -- she's detailed out to the FBI. 3 Q. Was it your understanding that she was 4 detailed out to the FBI at that time? 5 A. That's what Scahill had mentioned, yes. 6 Q. Did anyone tell you that Danny and Shannon's 7 identities involvement in this case to were remain 8 confidential? 9 A. No, it was -- it's assumed they -- no one had 10 compromised them. They were working on it. 11 Q. You assumed that nobody compromised them on 12 it? 13 A. Right. It was still an ongoing 14 investigation. 15 Q. Did anyone say, we've got to keep their names 16 confidential and their identities confidential and 17 their involvement in the case confidential? 18 A. No. 19 Q. Was that ever an expressed concern by anyone? 20 A. "Anyone" meaning? 21 Q. Anyone either Danny, Shannon, Scahill or -- 22 at any point in time to you? 23 A. No. 24 Q. And in your role as Chief of the Bureau of</p>	<p style="text-align: right;">Page 28</p> <p>1 BY MR. SMITH: 2 Q. Were you aware of who all the targets of the 3 investigation were? 4 A. I was told it was a sergeant and a police 5 officer. 6 Q. Did you ever learn that other individuals 7 were identified as potential other -- other officers 8 were potentially identified as people who may have been 9 involved with Watts and Mohammed? 10 A. Obviously, it's from -- From when I can 11 recall, it was a team of officers. But at the point in 12 time where I was involved, the FBI and US Attorney were 13 targeting the just sergeant and the PO. 14 Q. You were never told that the other team 15 members weren't involved in potential drug operations, 16 correct? 17 A. I was not told. 18 Q. Did you make any efforts to know who 19 Sergeant Watts had worked with in the past? 20 A. I personally did not, but -- Again, I know 21 the FBI was looking at all that. They were the lead 22 agency in the investigation. So everything you're 23 telling me is more so something that the FBI would be 24 following up or ...</p>
<p style="text-align: right;">Page 27</p> <p>1 Internal Affairs, you understand the importance of 2 keeping officers who are investigating other officers 3 confidential, correct? 4 A. Yes. 5 Q. Obviously -- Wouldn't did be fair to say that 6 in order to keep something confidential you would have 7 to know who you could tell and who you couldn't tell 8 you? 9 MR. KING: Just object to the form and lack of 10 foundation. 11 BY THE WITNESS: 12 A. First of all, I would only be discussing that 13 with my superiors. So there would be no reason and I 14 had no reason to speak to anybody else other than my 15 superiors about the investigation. 16 BY MR. SMITH: 17 Q. So you would have never spoken to anybody who 18 wasn't your superior about this investigation at the 19 point in time it was going on? 20 A. No, other than my command staff. 21 Q. Were you aware of who the targets of the 22 investigation were at the time? 23 A. The sergeant and the officer? 24 MR. KING: Just object as asked and answered.</p>	<p style="text-align: right;">Page 29</p> <p>1 MR. KING: Just answer his question. 2 BY MR. SMITH: 3 Q. Were you aware of what type of danger Danny 4 or Shannon might be in if Sergeant Watts were to find 5 out that they were investigating him and other Chicago 6 police officers? 7 MR. KING: Object to the form. Lack of 8 foundation. 9 BY THE WITNESS: 10 A. Yeah, I -- I'm trying to understand, danger 11 in terms of ... 12 BY MR. SMITH: 13 Q. The potential dangers of being found out that 14 they were informants -- I mean that they were working a 15 confidential investigation against Chicago police 16 officers for corruption? 17 MR. KING: Same objection. 18 BY THE WITNESS: 19 A. There is always a potential for danger. 20 BY MR. SMITH: 21 Q. Were you ever made aware that individuals 22 suspected Sergeant Watts of murders? 23 A. The officers did mention that that was part 24 of the investigation.</p>

<p style="text-align: right;">Page 30</p> <p>1 Q. Do you have any reason to doubt that at this</p> <p>2 time?</p> <p>3 A. No.</p> <p>4 Q. Were you aware that while they were -- while</p> <p>5 Danny -- when Danny and Shannon first met you and were</p> <p>6 working with the FBI they were assigned to the</p> <p>7 Narcotics Unit still?</p> <p>8 A. Yes.</p> <p>9 Q. Were you aware that they were detailed to</p> <p>10 Detached Services Unit 153?</p> <p>11 A. Yes.</p> <p>12 Q. And that they were to report directly to FBI</p> <p>13 headquarters to work directly on Operation Brass Tacks?</p> <p>14 MR. KING: Just object to the lack of foundation</p> <p>15 without a time frame.</p> <p>16 BY MR. SMITH:</p> <p>17 Q. When you first met with them?</p> <p>18 A. Yes, they were reporting to the FBI facility.</p> <p>19 Q. Did you believe them to have any other work</p> <p>20 assignments at that point in time other than reporting</p> <p>21 to FBI headquarters to work on Operation Brass Tacks?</p> <p>22 A. No.</p> <p>23 Q. Were you aware that -- In fact, did you allow</p> <p>24 them, encourage them to develop other narcotics-related</p>	<p style="text-align: right;">Page 32</p> <p>1 A. I mentioned to them that the bottom line is</p> <p>2 the more contact they have out there the chances</p> <p>3 increase that they could get compromised.</p> <p>4 Q. And did you ever tell them not to cell other</p> <p>5 narcotic-related cases when they were working on</p> <p>6 Operation Brass Tacks?</p> <p>7 A. No.</p> <p>8 Q. At some point in time before August of 2010</p> <p>9 did you tell an individual by the name of Ernie Brown</p> <p>10 that Shannon Spalding and Danny Echeverria were doing</p> <p>11 an operation investigating officers?</p> <p>12 A. No.</p> <p>13 Q. Did you ever talk to Ernie Brown about</p> <p>14 Operation Brass Tacks?</p> <p>15 A. No.</p> <p>16 Q. You know Ernie Brown, correct?</p> <p>17 A. I know who he is, yes.</p> <p>18 Q. Were you ever confronted by Shannon or Danny</p> <p>19 that Commander O'Grady came to know that they were</p> <p>20 investigating police officers?</p> <p>21 MR. KING: Object to the form of the question.</p> <p>22 BY THE WITNESS:</p> <p>23 A. No.</p> <p>24</p>
<p style="text-align: right;">Page 31</p> <p>1 cases which overlapped with their work on</p> <p>2 Operation Brass Tacks; in other words, if an informant</p> <p>3 or a lead in working on Brass Tacks lead to a possible</p> <p>4 other narcotics delivery or sales or operation that</p> <p>5 they were encouraged to actually continue to develop</p> <p>6 those leads?</p> <p>7 A. No.</p> <p>8 Q. You never told them that it was okay for them</p> <p>9 to gather information and help other officers make</p> <p>10 busts, narcotic-related busts at the time they were</p> <p>11 working on Operation Brass Tacks?</p> <p>12 A. No.</p> <p>13 Q. Did you ever know of them to develop and help</p> <p>14 other officers get narcotics-related arrests while they</p> <p>15 were still working with Operation Brass Tacks?</p> <p>16 A. They did inform me they had developed</p> <p>17 information and I immediately told them to pass that</p> <p>18 information along, yes.</p> <p>19 Q. Well, it was -- Were you doing it in a way</p> <p>20 that was -- Or did you tell them to not do that or stop</p> <p>21 doing that?</p> <p>22 A. I didn't encourage them.</p> <p>23 Q. Did you think there was anything wrong with</p> <p>24 doing that?</p>	<p style="text-align: right;">Page 33</p> <p>1 BY MR. SMITH:</p> <p>2 Q. Did you ever tell or talk to</p> <p>3 Commander O'Grady about Shannon or Danny being involved</p> <p>4 in Operation Brass Tacks?</p> <p>5 A. No.</p> <p>6 Q. Or any type of investigation of police</p> <p>7 officers?</p> <p>8 A. No.</p> <p>9 Q. Have you ever had any conversations with</p> <p>10 Defendant O'Grady about Shannon or Danny?</p> <p>11 A. No.</p> <p>12 Q. Did you ever talk to Nicholas Roti about</p> <p>13 Danny or Shannon?</p> <p>14 A. Are you -- Regarding that time frame?</p> <p>15 Q. Well, let's start with regarding that time</p> <p>16 frame, sometime around August of 2010?</p> <p>17 A. No.</p> <p>18 Q. Did you ever talk to Nicholas Roti about</p> <p>19 Shannon Spalding or Danny Echeverria ever?</p> <p>20 A. Yes.</p> <p>21 Q. When was that?</p> <p>22 A. This was -- Had to be sometime after the</p> <p>23 conclusion of the operation and I think it was the time</p> <p>24 the lawsuit was filed.</p>

<p style="text-align: right;">Page 34</p> <p>1 Q. And what did you talk with Nicholas Roti 2 about at that time? 3 A. In a conversation he mentioned how he had had 4 an issue with them and he explained to me the issue. 5 Q. What was the issue? 6 A. According to Chief Roti, he related to me 7 that he had allowed the officers to work with the FBI 8 on this operation and that he had called the agent, I'm 9 not sure who it was, and he spoke to them and asked 10 them if the officers were working out. At that point 11 in time the agent said, yes, we used them twice or 12 something like that during a week. And Roti at that 13 point in time told me he went to Shannon's supervisors 14 in Narcotics and asked him whether they had been to 15 work and the sergeant had told them that, no, they had 16 been gone for the entire week. 17 Q. Anything else he said? 18 A. He stated that he saw that as an issue and he 19 then had a conversation, I believe, he mentioned 20 Scahill and that he basically told her it's best to 21 detail them to Internal Affairs so that they can be 22 supervised. 23 Q. And what time frame did you believe he was 24 talking about?</p>	<p style="text-align: right;">Page 36</p> <p>1 A. Again, I'm speculating. I mean, all I can 2 tell you is it's after the conclusion of the operation 3 and after the lawsuit was filed. 4 Q. That's the first time you ever talked to 5 Nicholas Roti about Operation Brass Tacks or 6 Shannon Spalding or Danny Echeverria? 7 A. That I can recall, yes. 8 Q. Did you ever tell Danny or Shannon that it 9 may have been your fault that -- or you may have leaked 10 the fact they were involved in investigation of police 11 officers? 12 A. No. 13 Q. So after the first meeting with Shannon and 14 Danny, what was your next involvement with Shannon and 15 Danny? 16 A. I think we had -- I -- I'm trying to think 17 back. I think I had the sergeant, Tom Chester, in a 18 separate meeting and, again, I'm just -- I'm not sure 19 what date or whatnot, but with the officers. 20 Q. And what was that meeting concerning? 21 A. Status. 22 Q. And what was the status that was given to 23 you? 24 A. My understanding is they were, again, trying</p>
<p style="text-align: right;">Page 35</p> <p>1 A. I believe it was early on when they were 2 detailed. 3 Q. And where were you when you had that meeting 4 with Roti? 5 MR. KING: Object to the form, "meeting." 6 BY MR. SMITH: 7 Q. Spoke with Roti. 8 A. I'm sure it was during -- From what I can 9 recall it was during some other meeting or something 10 where we were sitting in a room. I'm not sure about a 11 date or a meeting or a time. 12 Q. Who else was present? 13 A. At that point in time it was just me and 14 Roti, I believe. 15 Q. Other than it being after the filing of the 16 lawsuit or after the lawsuit was filed, do you remember 17 an approximate date? 18 A. No. 19 Q. Was it within the year, the year from now? 20 A. Honestly, I wouldn't be able to tell you more 21 or less. 22 Q. It would be fair to say that it was at least 23 four years after the period that Shannon and Danny were 24 first assigned to investigate Operation Brass Tacks?</p>	<p style="text-align: right;">Page 37</p> <p>1 to create a scenario, I believe a sting. 2 Q. Were they going into details about the 3 scenarios that they were trying to create? 4 A. You know, I can't recall if they went into 5 details. I do recall they were referring to a 6 scenario. 7 Q. Did you have any complaints about what they 8 were doing at that time? 9 A. No. 10 Q. Did you hear any complaints by any 11 supervisors in relation to or even other officers about 12 Danny or Shannon at point in time? 13 A. At that second -- No. Second meeting. 14 Q. Or at any time between the first meeting and 15 the second meeting? 16 A. No. 17 Q. Do you know approximately when the second 18 meeting would have been, about how long after the first 19 one? 20 A. I'm, again, speculating, maybe a couple of 21 days or ... 22 Q. And then what is the next involvement? How 23 often would you meet with Danny and Shannon during that 24 period of time?</p>

<p style="text-align: right;">Page 38</p> <p>1 A. It became almost every other day and it was 2 actually Spalding or Echeverria that would meet me at 3 the lobby area of the headquarters and try and engage 4 me in conversations. 5 Q. Almost every other day after the first 6 meeting with them? 7 A. Yes. 8 Q. For how long did that go on for? 9 A. It may have went on for a few months. 10 However, I discouraged them from doing that, obviously, 11 because of the issue of compromise. 12 Q. And what were the discussions during these 13 meetings at the lobby of headquarters about? 14 A. It varied. It could have been from them 15 trying to tell me of a scenario that would work, um, 16 with regards to a sting or something directed to the 17 targets. It would be conversations regarding vehicles 18 that they would use. 19 Q. And when you discouraged them from continuing 20 to do that on an every-other-day basis, did you tell 21 them what they should do instead or did you tell them 22 how often you wanted to see them or any information as 23 to in what manner they should report to you? 24 A. Yes, I told them go directly to their</p>	<p style="text-align: right;">Page 40</p> <p>1 there. 2 Q. Did anyone from the FBI ever come to you to 3 talk about Shannon and Danny in particular? 4 A. No. 5 Q. And anyone ever make a complaint to you from 6 the FBI or the federal government about 7 Danny Echeverria or Shannon Spalding? 8 THE WITNESS: Could I -- 9 MR. KING: Just -- Object to the form of the 10 question. 11 If you understand it, you can answer. 12 BY THE WITNESS: 13 A. No. 14 BY MR. SMITH: 15 Q. So after you told Danny and -- 16 MR. KING: Do you want to take a break? 17 MR. SMITH: Do you need a break. 18 MR. KING: Yeah, take a quick one. 19 MR. SMITH: Sure. 20 (Recess taken.) 21 BY MR. SMITH: 22 Q. In terms of when -- Were you aware that when 23 Shannon and Danny were detailed to Unit 543 that they 24 were -- their immediate supervisor was a Liz Glass?</p>
<p style="text-align: right;">Page 39</p> <p>1 sergeant which was Tom Chester or if it was important 2 call. 3 Q. Did they have your personal cell phone? 4 A. No, they had my work cell phone, BlackBerry. 5 Q. But it was a cell phone? 6 A. Yes. 7 Q. And were you -- had you met with 8 Patrick Smith or spoken to Patrick Smith on the phone 9 at any point in time during this first period or first 10 month or two that you had learned of Shannon's 11 involvement with the FBI? 12 A. I'm sorry. Can you repeat that? 13 Q. Do you know who Patrick Smith is? 14 A. I was aware of Agent Smith, yes. 15 Q. Did you speak with him or meet with him at 16 some point in time about Operation Brass Tacks? 17 A. I don't recall. We may have, because we had 18 quarterly meetings with the FBI for updates. 19 Q. In those quarterly meetings, did you get 20 updates about Operation Brass Tacks? 21 A. I'm sure I did, yes. 22 Q. Do you know who would give you the updates on 23 Operation Brass Tacks? 24 A. I don't recall who was all in the meeting</p>	<p style="text-align: right;">Page 41</p> <p>1 A. Well, she's not their immediate supervisor. 2 Tom Chester was their immediate supervisor. 3 Q. Were you aware that they were to report to a 4 Liz Glass? 5 A. Administratively they reported to her, yes. 6 Q. And the ANA sheets -- Where did you believe 7 the ANA sheets that they were assigned -- they were to 8 to sign were at that point in time? 9 A. I'm assuming Detached Services were handling 10 that. 11 Q. And were you aware that they weren't supposed 12 to report to Narcotics Unit 189 at that time? 13 MR. KING: Just object to the form of the 14 question. 15 BY THE WITNESS: 16 A. I'm sorry. Can you rephrase that? 17 BY MR. SMITH: 18 Q. Were you aware of any directive that Shannon 19 and Danny were supposed to report to Unit 189 Narcotics 20 during the time that they were signed to Detail 543? 21 A. No. I mean, they should have been working 22 with Internal Affairs and the FBI. 23 Q. So did you ask Nick Roti why the heck he 24 would have thought that Shannon Spalding and</p>

<p style="text-align: right;">Page 42</p> <p>1 Danny Echeverria should be reporting to his unit at 2 that point in time? 3 MR. KING: Just object to the form, lack of 4 foundation, different time frames, misstates his 5 testimony. 6 BY THE WITNESS: 7 A. Different time frame. 8 BY MR. SMITH: 9 Q. Were you aware of any point in time where 10 the -- that before Shannon Spalding and 11 Danny Echeverria were reporting -- were detailed to 12 Unit 543 by Tina Scahill that Shannon Spalding and 13 Danny Echeverria were working for the FBI and the 14 Chicago Police Department -- with the 15 Chicago Police Department? 16 MR. KING: Just object to the lack of foundation. 17 BY THE WITNESS: 18 A. Repeat that. 19 BY MR. SMITH: 20 Q. Was there any point in time to your knowledge 21 that Shannon Spalding and Danny Echeverria were working 22 at Narcotics, Unit 189, and assigned to work with the 23 FBI? 24 A. That would have been prior to me taking the</p>	<p style="text-align: right;">Page 44</p> <p>1 A. When they briefed me on how they became 2 involved in this. 3 Q. And when was that? 4 A. It was probably early on. I'm not sure. I 5 wouldn't be able to tell you what day or meeting. 6 Q. What did they tell you in terms of -- What 7 made them talk to you about the -- How did they tell 8 you that they worked -- had been working in Narcotics 9 and assigned to the FBI? 10 A. Basically they told me that they came up with 11 the source, the information and they were given 12 permission to work with the FBI when the FBI needed 13 their assistance. 14 Q. And by who were they given permission to work 15 with the FBI for is their assistance? 16 A. The way they put, it was their supervisors 17 O'Grady and Roti and their sergeant was aware of it. 18 Q. Are you aware that Shannon Spalding and 19 Danny Echeverria went to the FBI on their own without 20 permission from supervisors? 21 MR. KING: Just object to the form. You can 22 answer it. 23 BY THE WITNESS: 24 A. Yes. The way it was relayed to me was that</p>
<p style="text-align: right;">Page 43</p> <p>1 position of chief, yes. 2 Q. Who told you that? 3 A. I'm sorry. 4 Q. Who told you that that was happening? 5 A. Who told me that? 6 Q. That Shannon Spalding and Danny Echeverria 7 were working with the FBI while they were assigned to 8 Narcotics Unit 189? 9 A. The officers did. 10 Q. Danny and Shannon? 11 A. Yes. 12 Q. Did anyone else ever tell you that before a 13 meeting with Nick Roti after the lawsuit was filed? 14 A. Other than the officers that I can recall. 15 Q. No one? 16 A. I can't recall anybody. 17 Q. Tina Scahill never told you that, correct? 18 A. I'm not sure if -- Again, she may have. I'm 19 not sure if she mentioned what had happened prior to 20 all that. 21 Q. When did this conversation with -- where 22 Shannon Spalding or Danny Echeverria told you that they 23 were working at Narcotics 189 and reporting to FBI, 24 when did that happen?</p>	<p style="text-align: right;">Page 45</p> <p>1 they had information and they went to the FBI with the 2 information and they were allowed to work the 3 investigation with the FBI. 4 BY MR. SMITH: 5 Q. You believe that they went to the FBI after 6 talking to supervisors? 7 A. My understanding was that they had -- the 8 information they had related to the supervisors in 9 their unit. 10 Q. Well, if I told you that Danny Echeverria and 11 Shannon Spalding went to the FBI without the knowledge 12 of supervisors, including Tina Scahill, would that 13 surprise you? 14 MR. KING: Just object to the -- 15 BY MR. SMITH: 16 Q. In connection with the CI? 17 MR. KING: -- to the form and lack of foundation. 18 Are you saying when they initially went to 19 the FBI? 20 MR. SMITH: Yes. 21 BY THE WITNESS: 22 A. It would surprise me, because normally 23 something like that, some type of misconduct is, 24 according to the directive, should have been reported</p>

<p style="text-align: right;">Page 46</p> <p>1 to their immediate supervisor.</p> <p>2 BY MR. SMITH:</p> <p>3 Q. So you're saying that you never even heard,</p> <p>4 to this date, until right now, is this the first time</p> <p>5 you ever heard that somebody claiming that</p> <p>6 Shannon Spalding and Danny Echeverria went to the FBI</p> <p>7 on their own, in their off time before going to any</p> <p>8 supervisor, including Tina Scahill?</p> <p>9 A. Again, I wasn't aware of that. The way it</p> <p>10 was put to me was that this they had information and</p> <p>11 went to the FBI and were allowed to work the</p> <p>12 investigation.</p> <p>13 Q. And were you aware that -- that the FBI went</p> <p>14 to Tina Scahill's office and had a meeting with</p> <p>15 Tina Scahill asking that she be allowed to work with</p> <p>16 them?</p> <p>17 MR. KING: Just object to the form and lack of</p> <p>18 foundation, assuming facts not necessarily in evidence,</p> <p>19 certainly for this deposition.</p> <p>20 BY THE WITNESS:</p> <p>21 A. Again, that was before I was there, so ...</p> <p>22 BY MR. SMITH:</p> <p>23 Q. Do you have any idea of the time period, the</p> <p>24 date that Shannon and Danny were first assigned to the</p>	<p style="text-align: right;">Page 48</p> <p>1 in Narcotics and with the FBI?</p> <p>2 MR. KING: Objection. Asked and answered at least</p> <p>3 four times.</p> <p>4 BY THE WITNESS:</p> <p>5 A. Again, I would be speculating.</p> <p>6 BY MR. SMITH:</p> <p>7 Q. Is it correct that you don't know any dates?</p> <p>8 MR. KING: Five times.</p> <p>9 THE WITNESS: Yes.</p> <p>10 BY MR. SMITH:</p> <p>11 Q. Is that correct?</p> <p>12 A. That's correct. I would be speculating.</p> <p>13 Q. In terms of Danny or Shannon, did they</p> <p>14 ever -- either one of them ever communicate to you that</p> <p>15 they were feeling that people were mistreating them or</p> <p>16 treating them differently because they were</p> <p>17 investigating police officers?</p> <p>18 A. Investigating police officers, no.</p> <p>19 Q. Involved in Operation Brass Tacks?</p> <p>20 A. No.</p> <p>21 Q. Did they feel that people were treating them</p> <p>22 unfairly? Did they make any complaints to you at all</p> <p>23 that they were being treated unfairly?</p> <p>24 A. There was a conversation that Spalding</p>
<p style="text-align: right;">Page 47</p> <p>1 FBI?</p> <p>2 A. I mean, I would be speculating. I'm sure</p> <p>3 they kind of mentioned it to me, but it was prior to me</p> <p>4 taking the position of chief.</p> <p>5 Q. Do you know how -- If it was within days of</p> <p>6 being assigned to 543 -- the detail to 543?</p> <p>7 MR. KING: Just --</p> <p>8 BY THE WITNESS:</p> <p>9 A. I think would it be days. It would be</p> <p>10 speculating. Do really don't know the time frame they</p> <p>11 would be there.</p> <p>12 BY MR. SMITH:</p> <p>13 Q. How long do you think it was between the</p> <p>14 time they got permission to work with the FBI by the</p> <p>15 Chicago police department supervisors and the time they</p> <p>16 were assigned to Unit 543?</p> <p>17 A. Again, I -- I would be speculating.</p> <p>18 Q. It possible that it was two days?</p> <p>19 A. Again, you're asking me to speculate on</p> <p>20 something ...</p> <p>21 Q. In terms of -- Can you give any time period</p> <p>22 that in terms of specific time periods, even weeks,</p> <p>23 days, months, in which you believe that</p> <p>24 Shannon Spalding and Danny Echeverria were working both</p>	<p style="text-align: right;">Page 49</p> <p>1 initiated and that's probably the only time I heard her</p> <p>2 make an issue of what she believed was compromising her</p> <p>3 and Officer Echeverria.</p> <p>4 Q. When was that?</p> <p>5 A. You know, I don't have specific dates,</p> <p>6 because we had, you know, numerous conversations. But</p> <p>7 in one particular -- I can recall one conversation</p> <p>8 where she initiated -- where that she stated that she</p> <p>9 had been concerned because there was talk in Narcotics,</p> <p>10 the people were calling or telling people that they</p> <p>11 were snitches or rats. And at that point in time I</p> <p>12 asked her, Where are you hearing this and she's saying,</p> <p>13 It's talk. I then went into, she's asking me, you</p> <p>14 know, if I thought maybe that was happening -- I told</p> <p>15 her, I had not heard it. Is it possible that people</p> <p>16 maybe saying stuff, anything is possible, I told her</p> <p>17 but I have not heard it. I then asked her -- I said</p> <p>18 where or who's telling you this and she then tells me</p> <p>19 it's a friend in Narcotics by the name of Hernandez.</p> <p>20 Q. Was Danny Echeverria there for that</p> <p>21 conversation?</p> <p>22 A. No.</p> <p>23 Q. Did she tell you what Hernandez was saying to</p> <p>24 her?</p>

<p style="text-align: right;">Page 50</p> <p>1 A. Basically the same thing. I said -- I asked</p> <p>2 her is Hernandez a witness to any of this, she says, No</p> <p>3 it's rumors.</p> <p>4 Q. So she told you Hernandez didn't witness it</p> <p>5 but he had heard it?</p> <p>6 MR. KING: Objection. Misstates his testimony.</p> <p>7 BY THE WITNESS:</p> <p>8 A. According to Shannon he had told her it was</p> <p>9 rumors.</p> <p>10 BY MR. SMITH:</p> <p>11 Q. Did Shannon Spalding ever tell you that she</p> <p>12 had heard that Defendant O'Grady was informing his</p> <p>13 personnel that she and Officer Echeverria were rats?</p> <p>14 A. She mentioned O'Grady and Roti.</p> <p>15 Q. And did she say the words "Rat" in particular</p> <p>16 at that point in time?</p> <p>17 A. She said "Snitch" and "Rat," yes.</p> <p>18 Q. Did she tell you that she had heard that</p> <p>19 O'Grady had ordered the unit not to work with her and</p> <p>20 Echeverria and they should is not assist Shannon or</p> <p>21 Danny?</p> <p>22 A. No, that was never said.</p> <p>23 Q. Did she tell you that O'Grady was prohibiting</p> <p>24 her from earning of overtime?</p>	<p style="text-align: right;">Page 52</p> <p>1 without more specific time frame.</p> <p>2 And also detailed to 543?</p> <p>3 MR. SMITH: No, assigned.</p> <p>4 BY MR. SMITH:</p> <p>5 Q. You know the difference between assigned and</p> <p>6 detailed?</p> <p>7 A. Yes.</p> <p>8 Q. You were aware that they were still assigned</p> <p>9 to the Narcotics Unit 189 at that point in time when</p> <p>10 she raised those concerns about O'Grady and Roti?</p> <p>11 MR. KING: Object --</p> <p>12 Can you repeat that question?</p> <p>13 (Record read.)</p> <p>14 BY THE WITNESS:</p> <p>15 A. As far as I understand, yeah, I believe they</p> <p>16 were assigned to 189 and to 543, I believe.</p> <p>17 BY MR. SMITH:</p> <p>18 Q. In terms of -- We titled the discussion</p> <p>19 about -- In terms of the overtime issues, we talked</p> <p>20 about how you did not tell Shannon or Danny that they</p> <p>21 could not develop other narcotics leads while they were</p> <p>22 working on Operation Brass Tacks; do you remember that?</p> <p>23 A. I'm sorry. Can you repeat that?</p> <p>24 Q. We talked about earlier in the deposition</p>
<p style="text-align: right;">Page 51</p> <p>1 A. No.</p> <p>2 Q. Did you make any contact with O'Grady or Roti</p> <p>3 at that time to investigate her concerns?</p> <p>4 A. No. It's -- According to Shannon, it was</p> <p>5 rumors.</p> <p>6 Q. Did you make any efforts to in any way to</p> <p>7 investigate that at all?</p> <p>8 A. Again, they're unsubstantiated rumors.</p> <p>9 Q. Did you tell her anything in relation to her</p> <p>10 concerns?</p> <p>11 A. Other than I -- I basically told her, I said,</p> <p>12 do you have or does your friend has witnesses.</p> <p>13 Q. And what did she tell you?</p> <p>14 A. Again, she reiterated, according to her</p> <p>15 friend, Hernandez, it was rumors.</p> <p>16 Q. And do you remember the time periods</p> <p>17 generally when that occurred?</p> <p>18 A. Nah. I said I would be speculating because</p> <p>19 there was numerous conversations throughout the time</p> <p>20 when they were involved.</p> <p>21 Q. Were you aware that it was at a time,</p> <p>22 certainly, that they were still assigned to the</p> <p>23 Narcotics Unit 189?</p> <p>24 MR. KING: Just object to the lack of foundation</p>	<p style="text-align: right;">Page 53</p> <p>1 that you did not tell Shannon or Danny Echeverria they</p> <p>2 couldn't develop other narcotics leads while they were</p> <p>3 working in Operation Brass Tacks; do you remember us</p> <p>4 talking about that?</p> <p>5 MR. KING: Just object. I think it misstates his</p> <p>6 testimony, but you can answer if you --</p> <p>7 BY THE WITNESS:</p> <p>8 A. Can you repeat that?</p> <p>9 BY MR. SMITH:</p> <p>10 Q. Do you remember us talking about Danny and</p> <p>11 Shannon in connection with developing other narcotics</p> <p>12 leads while they were working with</p> <p>13 Operation Brass Tacks?</p> <p>14 A. I recall, yes.</p> <p>15 Q. In fact, isn't it true that you approved of</p> <p>16 overtime for them in connection with some of the work</p> <p>17 they did in developing other leads while working on</p> <p>18 Operation Brass Tacks?</p> <p>19 A. When they informed me that they had</p> <p>20 information I allowed them to work it and I also</p> <p>21 discouraged them from doing it, because they could get</p> <p>22 compromised.</p> <p>23 Q. It's true you actually approved overtime for</p> <p>24 Danny and Shannon for doing work on other cases</p>

<p style="text-align: right;">Page 54</p> <p>1 while -- other leads while they were assigned to</p> <p>2 Operation Brass Tacks?</p> <p>3 A. Yes, once they had the information yes, I</p> <p>4 allowed it.</p> <p>5 Q. Do you recall at some point in time</p> <p>6 approximately August of 2010 Shannon and Danny coming</p> <p>7 to you relating to an issue with a sergeant or a</p> <p>8 Officer Padar about work or information that he got</p> <p>9 that led to a search warrant and that they had met with</p> <p>10 Padar and had a conversation with Padar relating to</p> <p>11 coming him others in his unit with information from</p> <p>12 confidential informants?</p> <p>13 A. No.</p> <p>14 Q. Do you remember an indication that -- being</p> <p>15 told that Sergeant Padar had informed them that O'Grady</p> <p>16 does not want anybody in his unit to work with them on</p> <p>17 any leads?</p> <p>18 A. No.</p> <p>19 Q. Do you recall ever seeing or approving</p> <p>20 overtime or work for a search warrant that Shannon and</p> <p>21 Danny did with Sergeant Padar?</p> <p>22 A. I don't recall. Again, if you have something</p> <p>23 that can refresh my memory.</p> <p>24 Q. Do you know who Sergeant Padar is?</p>	<p style="text-align: right;">Page 56</p> <p>1 A. The sergeant was not submitting the slips,</p> <p>2 therefore, the officer was not -- Obviously, his hours</p> <p>3 were not being removed, so he was keeping his hours</p> <p>4 while not at work.</p> <p>5 Q. Did you ever have any conversations with</p> <p>6 Commander O'Grady about possible reassignment of either</p> <p>7 Danny or Shannon within the department?</p> <p>8 A. No.</p> <p>9 Q. Did you have any conversations with Nick Roti</p> <p>10 about possible reassignment within the department --</p> <p>11 A. No.</p> <p>12 Q. -- of Danny or Shannon --</p> <p>13 A. No.</p> <p>14 Q. Were you ever involved in a meeting --</p> <p>15 MR. SMITH: Strike that.</p> <p>16 BY MR. SMITH:</p> <p>17 Q. Did you ever inform -- In discussing overtime</p> <p>18 work, were you ever told by Shannon or Danny that they</p> <p>19 were being told that O'Grady wasn't allowing them to</p> <p>20 work with them to get overtime with Unit 181?</p> <p>21 A. No.</p> <p>22 Q. I mean 189.</p> <p>23 Were you ever told that if they were told</p> <p>24 that they are ever in a 10-1, Unit 189 officers were</p>
<p style="text-align: right;">Page 55</p> <p>1 A. Yes, I do.</p> <p>2 Q. How do you know Sergeant Padar?</p> <p>3 A. Sergeant Padar came up -- Again, with Shannon</p> <p>4 came to me and asked for advice. I met with her and</p> <p>5 that's when she informed me that, again, her friend</p> <p>6 Hernandez was doing work with Sergeant Padar and there</p> <p>7 was a dispute over the payment of whatever work he was</p> <p>8 doing at his summer home or vacation home. At that</p> <p>9 point in time in that conversation I told her, To me,</p> <p>10 it's a civil matter, you know. That's, obviously,</p> <p>11 contractual issues. And at one point she then stated</p> <p>12 that he's also holding slips for Hernandez while he's</p> <p>13 out working at his summer home, I'm like, Okay, there's</p> <p>14 an issue here. At that point in time I told her,</p> <p>15 Shannon, call your friend in -- and this is at</p> <p>16 Internal Affairs -- and we're going to initiate a</p> <p>17 complaint register number.</p> <p>18 Q. Had you ever heard of Padar other than that,</p> <p>19 relating to that incident?</p> <p>20 A. I don't recall ever hearing about him until</p> <p>21 that date.</p> <p>22 Q. And do you know what "holding slips" meant?</p> <p>23 A. Yes.</p> <p>24 Q. What did it mean?</p>	<p style="text-align: right;">Page 57</p> <p>1 told not to assist?</p> <p>2 A. No.</p> <p>3 Q. You know what a 10-1, correct?</p> <p>4 A. Yes.</p> <p>5 Q. Officer in need of assistance?</p> <p>6 A. Yes.</p> <p>7 Q. You don't recall having a conversation in</p> <p>8 which you said -- where they asked you at that time if</p> <p>9 O'Grady knew that they were working on an investigation</p> <p>10 of officers?</p> <p>11 A. No, they never asked that.</p> <p>12 Q. Do you have any idea who their supervisor was</p> <p>13 at the time or --</p> <p>14 MR. SMITH: Change that question.</p> <p>15 BY MR. SMITH:</p> <p>16 Q. Do you have any idea if O'Grady was their</p> <p>17 supervisor at the time that they were assigned to</p> <p>18 Unit 543 -- I mean detailed to 543 from 189?</p> <p>19 A. O'Grady being their supervisor?</p> <p>20 Q. Yeah?</p> <p>21 A. No.</p> <p>22 Q. Do you have any idea if O'Grady was their</p> <p>23 supervisor at the time that they were in 189 when they</p> <p>24 were first met with the FBI?</p>

<p style="text-align: right;">Page 58</p> <p>1 A. Again, I wasn't in place at the time. I'm 2 not -- I would be speculating if he was or not. 3 Q. But you're confident and certain that 4 Shannon Spalding told you that her supervisor, O'Grady, 5 knew that she was working with the FBI? 6 A. She stated -- I'm not sure if she used the 7 name "O'Grady"; my commander and the chief were 8 aware, they've given us permission to work with ... 9 Q. So she never used the name "O'Grady"? 10 A. Again, I don't recall. I don't know if she 11 mentioned O'Grady, Roti or chief, but she basically 12 said her superiors were aware and they had given her 13 permission to work with FBI. 14 Q. And you also -- You don't you recall telling 15 Shannon or Danny that you told Ernie Brown and that's 16 how O'Grady knows? 17 A. No. 18 Q. Do you recall being involved in a meeting in 19 which Nicholas Roti was present where -- and O'Grady 20 were present in which the subject of Shannon and Danny 21 came up? 22 A. Can you repeat that? 23 Q. Do you recall being at a meeting with 24 Nicholas Roti and James O'Grady in which</p>	<p style="text-align: right;">Page 60</p> <p>1 A. Yes. 2 Q. Do you know who Beatrice Cuello is? 3 A. Yes. 4 Q. Did you ever talk to Beatrice Cuello about 5 Shannon Spalding or Danny Echeverria? 6 A. There was -- I was called to the 7 superintendent's office and she was the assistant 8 superintendent at the time and that point in time in 9 that I had a conversation with Beatrice Cuello. 10 Q. What did you talk to her about? 11 A. It was regarding the assignment of Spalding 12 and Echeverria to 543. 13 Q. What did you talk to her about regarding that 14 assignment? 15 A. I was asked by Beatrice Cuello, as well as 16 the interim superintendent, Terry Hilliard, as to what 17 the two officers were involved in. 18 Q. What did you tell them? 19 A. I told them the -- I don't recall the exact 20 wording or -- you know, I'm not sure how it was, but I 21 basically informed them of the investigation and the 22 status. 23 Q. What did you tell them about the 24 investigation and the status?</p>
<p style="text-align: right;">Page 59</p> <p>1 Shannon Spalding and/or Danny Echeverria came up during 2 the meeting? 3 A. No. 4 Q. Did you ever talk to a Debra Kirby about 5 Shannon or Danny's involvement in 6 Operation Brass Tacks? 7 A. Yes. 8 Q. When was that? 9 A. Again, I don't know the specific time frame, 10 but Kirby was promoted, I believe, to Deputy 11 Superintendent of the Bureau of Professional Standards. 12 So in essence she was my superior. As such I would 13 give her weekly updates on all the cases. 14 Q. Did you give her weekly updates on 15 Operation Brass Tacks? 16 A. Yes. 17 Q. When would that have been that you started 18 giving those weekly updates? 19 A. I would be speculating, but she was put in 20 that position, Deputy Superintendent, and at that point 21 in time she was my superior and I reported to her. 22 Q. So you had made her aware that certainly that 23 Shannon and Danny were assigned to work with the FBI 24 while they were detailed to Unit 543?</p>	<p style="text-align: right;">Page 61</p> <p>1 A. I told them the investigation at this point 2 in time was involving the sergeant and an officer. I 3 explained to them the allegation and I also informed 4 them that the investigation was not making progress due 5 to a review by the US Attorney and the FBI, that they 6 were looking at assigning a new case agent to the 7 investigation and I told them it was, obviously, still 8 a viable investigation. 9 Q. And in terms of -- Do you know what time 10 frame that would have been in? 11 A. In -- I'm not sure if it's April, May, 12 somewhere in that range, 2011. I'm not sure. I'm 13 speculating on that. 14 Q. How did you learn that the FBI was looking 15 for a new case agent? 16 A. I was told that there was an issue with the 17 previous agent. I believe his name is Smith. 18 Q. Who told you that? 19 A. This came, I'm almost positive, from Chester, 20 Tom Chester. 21 Q. Did he tell you what the issue was? 22 A. I don't know if he went into -- I can't 23 recall if there was details -- I recall that there was 24 some documentation or use of the informant that was in</p>

<p style="text-align: right;">Page 62</p> <p>1 question.</p> <p>2 Q. Did either Hilliard or Beatrice Cuello ask</p> <p>3 you what -- any questions specifically about Danny or</p> <p>4 Shannon's assignment at that time?</p> <p>5 A. It was mentioned that they were looking to</p> <p>6 put officers back into patrol and that the -- I believe</p> <p>7 it would Bea Cuello's sergeant had reach out to the</p> <p>8 officers and I believe there was a conversation with</p> <p>9 Echeverria regarding what they were involved in and</p> <p>10 that phone conversation went bad. I'm not sure what</p> <p>11 happened at that point in time, but that's when I was</p> <p>12 called over by the interim supervisor and by</p> <p>13 Bea Cuello.</p> <p>14 Q. Were you contacted before that by either</p> <p>15 Danny or Shannon?</p> <p>16 A. Yes.</p> <p>17 Q. What did they tell you? Which was one it</p> <p>18 first of all?</p> <p>19 A. It was Danny Echeverria, basically he told</p> <p>20 me -- he made me aware that they were -- that 543</p> <p>21 personnel were asking the people detailed there as to</p> <p>22 what they were assigned to or involved in and I</p> <p>23 basically told them if they were to contact them that</p> <p>24 they were to refer them to me and I believe shortly</p>	<p style="text-align: right;">Page 64</p> <p>1 and I would deal with the situation.</p> <p>2 BY MR. SMITH:</p> <p>3 Q. In your view, they certainly weren't under an</p> <p>4 obligation to tell Beatrice Cuello what they were</p> <p>5 investigating, correct?</p> <p>6 MR. KING: Object to the lack of foundation.</p> <p>7 BY THE WITNESS:</p> <p>8 A. Again, the way Echeverria put it to me was</p> <p>9 people were calling individuals that were detailed</p> <p>10 there, so again, I would speculate -- Obviously, I</p> <p>11 didn't know or wouldn't know who was going to call him</p> <p>12 and ask.</p> <p>13 BY MR. SMITH:</p> <p>14 Q. Well, you would agree that he was -- if</p> <p>15 somebody was -- if a person in the same position as</p> <p>16 Beatrice Cuello called him, you know, and asked him</p> <p>17 what his assignment was, he did not have to tell them</p> <p>18 he was investigating police officers?</p> <p>19 A. I directed him not to and for him to refer</p> <p>20 anybody that called him to me. That's the way I</p> <p>21 directed him.</p> <p>22 Q. Did you ever become aware that Debra Kirby</p> <p>23 was asked by either Beatrice Cuello or</p> <p>24 Superintendent Hilliard if Danny and Shannon were</p>
<p style="text-align: right;">Page 63</p> <p>1 thereafter they were. I think Danny Echeverria was</p> <p>2 contacted and that's when that conversation took place</p> <p>3 with the sergeant from Bea Cuello office.</p> <p>4 Q. Did Beatrice Cuello inform you that Danny</p> <p>5 had refused to give specifics about what he was doing?</p> <p>6 A. No, she didn't mention that. She just</p> <p>7 basically said he was -- like borderline insubordinate</p> <p>8 to her sergeant or something to that effect.</p> <p>9 Q. Did she tell you or were you aware that it</p> <p>10 was concerning disclosure of his assignment?</p> <p>11 A. Yes, because that's the -- that's what she</p> <p>12 explained to me. Bea Cuello, the sergeant was asking</p> <p>13 personnel what their assignment was or what they were</p> <p>14 involved in.</p> <p>15 Q. Were you aware and were you in agreement that</p> <p>16 Danny and Shannon were told that they shouldn't tell</p> <p>17 anyone outside of the confidential circle who knew</p> <p>18 about their assignment or what they were doing in</p> <p>19 specifics?</p> <p>20 MR. KING: Object to the form and lack of</p> <p>21 foundation, but ...</p> <p>22 BY THE WITNESS:</p> <p>23 A. Again, I gave them direction. I told them to</p> <p>24 have -- to refer whoever it is that called them to me</p>	<p style="text-align: right;">Page 65</p> <p>1 assigned to work with the FBI at that time?</p> <p>2 MR. KING: Object to the the form and assuming</p> <p>3 facts not in evidence.</p> <p>4 BY MR. SMITH:</p> <p>5 Q. Working with an undercover investigation at</p> <p>6 that time?</p> <p>7 A. I'm sorry.</p> <p>8 Q. Were you aware of whether or not anybody</p> <p>9 asked Debra Kirby about Shannon and Danny's assignment?</p> <p>10 A. No.</p> <p>11 Q. Were you aware of any point in time where</p> <p>12 Debra Kirby indicated to -- Did you ever direct</p> <p>13 Sergeant Steven to call Debra Kirby about Danny and</p> <p>14 Shannon?</p> <p>15 A. No.</p> <p>16 Q. Do you know who Sergeant Steven is?</p> <p>17 A. I believe it's the sergeant that worked for</p> <p>18 Beatrice Cuello.</p> <p>19 Q. Did you ever speak to Sergeant Steven about</p> <p>20 Shannon and Danny?</p> <p>21 A. No.</p> <p>22 Q. Did you ever receive a call from</p> <p>23 Sergeant Steven in which he was talking about</p> <p>24 individuals who were assigned to Detail 543 about what</p>

<p style="text-align: right;">Page 66</p> <p>1 they -- whether they could be to assigned out to</p> <p>2 another unit.</p> <p>3 A. No.</p> <p>4 Q. Did you ever direct anyone regarding -- Did</p> <p>5 you ever tell Danny Echeverria to have Sergeant Steven</p> <p>6 or Beatrice Cuello call Kirby?</p> <p>7 A. No.</p> <p>8 Q. Did you ever tell Danny Echeverria to have an</p> <p>9 individual who was asking about what he was doing in</p> <p>10 Unit 543 to call Debra Kirby?</p> <p>11 A. No.</p> <p>12 Q. Did you ever learn from either</p> <p>13 Beatrice Cuello or Shannon or Danny Echeverria or</p> <p>14 Sergeant Steven or anyone else that there was an</p> <p>15 instance where Debra Kirby failed to inform either</p> <p>16 Beatrice Cuello or Sergeant Steven that Danny and</p> <p>17 Shannon were working with the FBI while they were</p> <p>18 detailed to Unit 543?</p> <p>19 A. No.</p> <p>20 Q. Did you ever speak to Danny or Shannon about</p> <p>21 Beatrice Cuello's call to you about moving them from</p> <p>22 Unit 543?</p> <p>23 A. There was no call.</p> <p>24 Q. Okay. Did you meet with -- I'm sorry. If it</p>	<p style="text-align: right;">Page 68</p> <p>1 Q. Did you hear anything about what O'Grady's</p> <p>2 position was with respect to their being removed from</p> <p>3 the unit?</p> <p>4 A. He was not mentioned.</p> <p>5 Q. Did you ever tell Danny or Shannon that Roti</p> <p>6 said he didn't want them back?</p> <p>7 A. I told them that he had an issue, that the</p> <p>8 discussion was that they would not go back to 189.</p> <p>9 Q. Did they ask you what the issue was?</p> <p>10 A. Yes.</p> <p>11 Q. What did you say?</p> <p>12 A. I told them exactly what I knew. I said I</p> <p>13 did not know, they did not tell me.</p> <p>14 Q. Did you ever tell either Danny or Shannon</p> <p>15 that O'Grady said that he didn't want those IAD rats</p> <p>16 back?</p> <p>17 A. No.</p> <p>18 Q. And that, God help them if they need help in</p> <p>19 the street, it ain't coming?</p> <p>20 A. No.</p> <p>21 Q. So was that an actual meeting that was had?</p> <p>22 A. No, it was -- Apparently, there was a meeting</p> <p>23 prior. I was called in after the fact.</p> <p>24 Q. Who was at the meeting?</p>
<p style="text-align: right;">Page 67</p> <p>1 wasn't a call, when you met with Hilliard and Cuello</p> <p>2 and discussed removal from 543, did you ever discuss</p> <p>3 with Danny or Shannon that conversation?</p> <p>4 A. Yes.</p> <p>5 Q. And what was the discussion about?</p> <p>6 A. They questioned me with regards to,</p> <p>7 obviously, the phone call and the manner in which</p> <p>8 apparently the conversation went, and I confirmed that</p> <p>9 they were not happy with the way the conversation had</p> <p>10 gone and I had told them that, in essence, they were</p> <p>11 looking at reassigning them to patrol and they had</p> <p>12 mentioned that they would not be going back to their</p> <p>13 unit of assignment. And at that time they -- I heard</p> <p>14 in the conversation mentioned that Roti had an issue</p> <p>15 with them and they would not be going back to 189.</p> <p>16 Q. Who told you that, Roti had an issue with</p> <p>17 them?</p> <p>18 A. That was a conversation that Hilliard and</p> <p>19 Bea Cuello were having.</p> <p>20 Q. So you overheard Cuello and Hilliard having a</p> <p>21 conversation that Roti had a problem with them?</p> <p>22 A. An issue, yes.</p> <p>23 Q. Did you hear what it was?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 69</p> <p>1 MR. KING: Object to the form.</p> <p>2 BY MR. SMITH:</p> <p>3 Q. That you saw that was still there?</p> <p>4 A. When I was called over I don't recall</p> <p>5 everybody, but I know the interim superintendent was</p> <p>6 there, Bea Cuello, and I'm not sure. I don't know if</p> <p>7 there was any other person of rank there.</p> <p>8 Q. Did you see Tina Scahill there?</p> <p>9 A. No.</p> <p>10 Q. Did you see in any unranked people who</p> <p>11 weren't of rank there?</p> <p>12 A. Um, while this conversation was going on I</p> <p>13 don't believe I mentioned anything in front of anybody</p> <p>14 else.</p> <p>15 Q. Did you see Debra Kirby?</p> <p>16 A. No.</p> <p>17 Q. In the area of the meeting?</p> <p>18 A. No.</p> <p>19 Q. I'm sorry. You may have already said it, was</p> <p>20 Nick Roti there at the time?</p> <p>21 A. No.</p> <p>22 MR. SMITH: Can we take a minute break?</p> <p>23 MR. KING: Sure.</p> <p>24</p>

<p style="text-align: right;">Page 70</p> <p>1 (Recess taken.)</p> <p>2 MR. SMITH: Back on the record.</p> <p>3 BY MR. SMITH:</p> <p>4 Q. When you saw Hilliard and Cuello concerning</p> <p>5 Shannon and Danny, did you know specifically what they</p> <p>6 were working on at that time with -- within the</p> <p>7 Operation Brass Tacks investigation?</p> <p>8 A. I'm sorry. Repeat that.</p> <p>9 Q. When the meeting happened where Cuello and</p> <p>10 Hilliard had mentioned to you the possibility of</p> <p>11 reassigning Officers Spalding and Echeverria, were you</p> <p>12 aware of what Danny and Shannon were working on</p> <p>13 concerning Operation Brass Tacks?</p> <p>14 A. Was I aware?</p> <p>15 Q. Yes.</p> <p>16 A. Yes.</p> <p>17 Q. Did you know what they were specifically</p> <p>18 doing that day?</p> <p>19 A. I would be speculating. I don't recall that</p> <p>20 day.</p> <p>21 Q. Did you know at some point in time that Danny</p> <p>22 and Shannon were meeting with a relative, I believe a</p> <p>23 brother of somebody who was killed in connection with</p> <p>24 selling narcotics in the area where Watts was suspected</p>	<p style="text-align: right;">Page 72</p> <p>1 in Brass Tacks?</p> <p>2 MR. KING: Object to the lack of foundation of the</p> <p>3 question.</p> <p>4 BY THE WITNESS:</p> <p>5 A. To my knowledge they were not removed the</p> <p>6 next day.</p> <p>7 BY MR. SMITH:</p> <p>8 Q. Do you know if they were ever removed</p> <p>9 from Brass Tacks?</p> <p>10 A. They were -- well, again --</p> <p>11 Q. I guess --</p> <p>12 A. -- can't give you a time frame, but there was</p> <p>13 an order that came out transferring them to patrol.</p> <p>14 Q. And do you know when that was in relation to</p> <p>15 the meeting?</p> <p>16 A. Again, I would be speculating. I don't know</p> <p>17 if it's a week, two weeks. I'm not sure.</p> <p>18 Q. Do you know if they were ordered to report</p> <p>19 anywhere before the transfer to patrol?</p> <p>20 A. Yes, they were -- which is common practice.</p> <p>21 They were told to report to the academy for retraining.</p> <p>22 Q. Were you aware that they were told at some</p> <p>23 point in time that they were actually transferred there</p> <p>24 to train other people?</p>
<p style="text-align: right;">Page 71</p> <p>1 to be shaking down drug dealers?</p> <p>2 A. I don't recall.</p> <p>3 Q. In terms of -- so at the conclusion of the --</p> <p>4 Did either Hilliard or Beatrice Cuello ask you any</p> <p>5 questions as to what should be done with Danny or</p> <p>6 Shannon?</p> <p>7 A. Ask me?</p> <p>8 Q. Yes.</p> <p>9 A. No.</p> <p>10 Q. Did you tell either Hilliard or Cuello at</p> <p>11 that point in time that Danny and Shannon were still</p> <p>12 actively working with the FBI?</p> <p>13 A. They were aware that they were assisting it.</p> <p>14 Right, yes.</p> <p>15 Q. Were you aware that Danny and Shannon were</p> <p>16 scheduled to sign out an individual, Monk Fagus</p> <p>17 (phonetic) from jail the next morning to proffer and</p> <p>18 work with the FBI?</p> <p>19 A. I don't recall.</p> <p>20 Q. Have you ever heard the name -- nickname</p> <p>21 "Monk" in connection with Operation Brass Tacks?</p> <p>22 A. Yes, I believe so.</p> <p>23 Q. And were you aware that the next day after</p> <p>24 that meeting that Shannon and Danny were removed</p>	<p style="text-align: right;">Page 73</p> <p>1 A. No.</p> <p>2 Q. What training were they supposed to report</p> <p>3 for?</p> <p>4 A. It's retraining. Basically when you're</p> <p>5 returning back to patrol after I believe -- and I'm</p> <p>6 speculating -- after a certain time frame, I believe</p> <p>7 it's over six months, they, what they call retread or</p> <p>8 retrain you to make sure that you proficient at report</p> <p>9 writing and so on, usage of the computer and so on.</p> <p>10 That's my understanding.</p> <p>11 Q. Do you know if it's a class or do they just</p> <p>12 report to a particular individual?</p> <p>13 A. That I won't be able to tell you.</p> <p>14 Q. Do you know how long this retraining takes?</p> <p>15 A. No.</p> <p>16 Q. Do you know anything that it would entail</p> <p>17 besides the computer?</p> <p>18 A. I'm sure they touch on other subjects, but I</p> <p>19 wouldn't be able to tell you.</p> <p>20 Q. Do you have any idea how they were supposed</p> <p>21 to know who was going to retrain them?</p> <p>22 A. Apparently the academy personnel were going</p> <p>23 to do it.</p> <p>24 Q. Do you know in any way, shape or form how,</p>

<p style="text-align: right;">Page 74</p> <p>1 generally, retraining takes place?</p> <p>2 A. I'm not familiar. I mean, I couldn't tell</p> <p>3 you details, but that's, again, I gave you a summary of</p> <p>4 what I -- that I know.</p> <p>5 Q. And you're not aware that they were sent</p> <p>6 there the next day after the meeting?</p> <p>7 A. I don't recall them being sent immediately</p> <p>8 the next day. I know it did happen. I would be</p> <p>9 speculating as to the time frame. But there was an</p> <p>10 order, it came out and they were transferred.</p> <p>11 Q. In terms of -- Have you ever recommended that</p> <p>12 following a police officer's working with FBI</p> <p>13 investigating other police officers that the police</p> <p>14 officer, when the job is done, be reassigned to work in</p> <p>15 IAD?</p> <p>16 A. I'm sorry. Repeat that again.</p> <p>17 Q. In terms of -- When you've had a situation</p> <p>18 where an officer is working with FBI and investigating</p> <p>19 other officers and when that -- that job, whatever</p> <p>20 operation it is, is done or it stalls temporarily or</p> <p>21 whatever, have you ever recommended that that officer</p> <p>22 or those officers be reassigned to Confidants in IAD?</p> <p>23 A. I never had that situation happen to me,</p> <p>24 so ...</p>	<p style="text-align: right;">Page 76</p> <p>1 Q. Did you ever talk with Tina Scahill about</p> <p>2 what you should do with Danny and Shannon and whether</p> <p>3 they should be moved into IAD?</p> <p>4 A. I don't --</p> <p>5 MR. KING: I'm going to object to the form which I</p> <p>6 think was two-part question. If you understand it, you</p> <p>7 can answer.</p> <p>8 BY THE WITNESS:</p> <p>9 A. I don't recall a conversation going to</p> <p>10 assigning them to Internal Affairs. We did have</p> <p>11 conversations regarding trying to mask them and the</p> <p>12 best way of doing that was there was supervision and we</p> <p>13 can account for their tour of duty and there was an</p> <p>14 agreement between myself, it was a discussion, but is</p> <p>15 was an agreement that Scahill would have them detailed</p> <p>16 to inspections when she was the chief of</p> <p>17 accountability.</p> <p>18 BY MR. SMITH:</p> <p>19 Q. Did Scahill ever mention that it made sense,</p> <p>20 or words to that effect, that would you consider taking</p> <p>21 them into -- moving them into IAD?</p> <p>22 A. I don't recall any conversation like that.</p> <p>23 Q. You ever tell Scahill that you would consider</p> <p>24 moving them to IAD?</p>
<p style="text-align: right;">Page 75</p> <p>1 Q. Why didn't you recommend or ask that Danny</p> <p>2 and Shannon be put into Confidentials at IAD to</p> <p>3 continue Operation Brass Tacks at that time when Cuello</p> <p>4 and Hilliard spoke to you?</p> <p>5 A. Again, that's -- it's their decision.</p> <p>6 They're my superiors. Basically, the way they</p> <p>7 explained it to me is, they were looking to put people</p> <p>8 back in patrol and that Spalding and Echeverria may end</p> <p>9 up assigned to patrol.</p> <p>10 Q. In terms of -- In terms of are you indicating</p> <p>11 you didn't think you could even tell them you thought</p> <p>12 one way or the other whether they should be put in</p> <p>13 Confidentials and continue to work on</p> <p>14 Operation Brass Tacks?</p> <p>15 MR. KING: Object to the form of the question.</p> <p>16 BY THE WITNESS:</p> <p>17 A. Again, I mentioned it earlier. I explained</p> <p>18 to them that it was a viable investigation and that</p> <p>19 this could conclude in a positive manner.</p> <p>20 BY MR. SMITH:</p> <p>21 Q. Did you recommend what should be done with</p> <p>22 Danny and Shannon at all?</p> <p>23 A. They didn't ask me, but I explained to them</p> <p>24 that this was still viable.</p>	<p style="text-align: right;">Page 77</p> <p>1 A. I don't recall ever having a conversation</p> <p>2 like that.</p> <p>3 Q. You're aware that Danny and Shannon were</p> <p>4 detailed to the police academy for three weeks?</p> <p>5 A. You know, again, I don't recall the time</p> <p>6 frame, but I know they were sent there for retraining.</p> <p>7 Q. Do you know if anyone ever trained them</p> <p>8 during that time?</p> <p>9 A. That I don't -- I don't recall. I wouldn't</p> <p>10 be able to tell you.</p> <p>11 Q. Do you have any idea what they were doing</p> <p>12 there?</p> <p>13 A. I didn't ask. No, I don't.</p> <p>14 Q. Did they ever call you and ask you what's</p> <p>15 going on with me here?</p> <p>16 A. They asked if I could help them and I told</p> <p>17 them that I would started making phone calls and trying</p> <p>18 to do what I can.</p> <p>19 Q. Did they tell you they were doing nothing at</p> <p>20 the time, just sitting in front of a desk?</p> <p>21 A. No.</p> <p>22 Q. Do you know who called you and asked you if</p> <p>23 you could help them?</p> <p>24 A. I believe it was Shannon.</p>

<p style="text-align: right;">Page 78</p> <p>1 Q. In terms of was it before or after that</p> <p>2 conversation with Shannon about where they were at that</p> <p>3 you had the conversation with Tina Scahill about their</p> <p>4 assignment?</p> <p>5 A. The conversation was after and it was after</p> <p>6 Kirby was able to reverse the transfer to patrol.</p> <p>7 Q. How do you know that Kirby reversed the</p> <p>8 transfer to patrol?</p> <p>9 A. Because I went there to see her and I</p> <p>10 explained to her that we should not allow that to</p> <p>11 occur. It would not be a good message. We need</p> <p>12 officers to come forward when there's misconduct or</p> <p>13 corruption and that would be the wrong message to send.</p> <p>14 She agreed and she told me she was going to talk to</p> <p>15 someone above her to try to change or undo the</p> <p>16 transfer.</p> <p>17 Q. Did she ask you any questions on how Danny</p> <p>18 and Shannon got moved in the first place?</p> <p>19 A. I think we had a discussion as to what took</p> <p>20 place. From what I recall, I mentioned to Kirby the</p> <p>21 fact that I was called in to Interim Hilliard's office</p> <p>22 with Bea Cuello on the conversation that took place.</p> <p>23 Q. Did you tell Kirby about the perceived</p> <p>24 insubordination?</p>	<p style="text-align: right;">Page 80</p> <p>1 A. Yes.</p> <p>2 Q. How did that occur?</p> <p>3 A. Again, Deputy Superintendent Kirby was able</p> <p>4 to undo the transfer and, as I mentioned earlier, the</p> <p>5 decision was made to -- while nothing was -- no</p> <p>6 progress was being made on the investigation to detail</p> <p>7 them Office of Accountability under Scahill and that's</p> <p>8 where they were detailed to, and during that time frame</p> <p>9 eventually the investigation started to take -- to show</p> <p>10 progress, I should say.</p> <p>11 Q. Were you actually contacted by the FBI to</p> <p>12 have them start working again?</p> <p>13 A. Yes.</p> <p>14 Q. Were you told why they were asked to start</p> <p>15 working again?</p> <p>16 A. The source. To make contact with the source.</p> <p>17 Q. Were you aware that -- then that -- In terms</p> <p>18 of when Debra Kirby reversed the prior reassignment to</p> <p>19 patrol, were you involved in determining where Shannon</p> <p>20 and Danny should be assigned to after that?</p> <p>21 A. Yes.</p> <p>22 Q. Who else was involved in that?</p> <p>23 A. Regarding inspections?</p> <p>24 Q. Correct.</p>
<p style="text-align: right;">Page 79</p> <p>1 A. Yes.</p> <p>2 Q. Did you discuss what that was about?</p> <p>3 A. No. It was put as -- The conversation didn't</p> <p>4 go well.</p> <p>5 Q. Did Kirby tell you anything about what was</p> <p>6 happening with Cuello and Hilliard?</p> <p>7 A. No.</p> <p>8 Q. Did Kirby know that Shannon and Danny were</p> <p>9 moved at that time based on what you had heard from</p> <p>10 her?</p> <p>11 A. Yes, she's -- She's the one that actually</p> <p>12 forwarded an e-mail to me with the personal transfer</p> <p>13 which listed Spalding and Echeverria being transfer the</p> <p>14 out to patrol.</p> <p>15 Q. And that was before you even knew they were</p> <p>16 being transferred out?</p> <p>17 A. Yes.</p> <p>18 Q. Did Brass Tacks ever start back up again</p> <p>19 after Danny and Shannon were initially removed?</p> <p>20 MR. KING: Object to the form.</p> <p>21 BY MR. SMITH:</p> <p>22 Q. Let's put it this way:</p> <p>23 Were they ever reassigned back</p> <p>24 to Brass Tacks, Danny and Shannon, in some form?</p>	<p style="text-align: right;">Page 81</p> <p>1 A. I believe I had a conversation with Scahill</p> <p>2 who, as I mentioned before, was in charge of</p> <p>3 inspections. It was under her Office of Accountability</p> <p>4 and, obviously, our superior, which is Kirby, who</p> <p>5 arranged the detail.</p> <p>6 Q. Were Danny or Shannon asked if they wanted to</p> <p>7 go to inspections?</p> <p>8 A. No.</p> <p>9 Q. Was there any discussion at that time with</p> <p>10 respect to Danny or Shannon to see if they wanted to go</p> <p>11 back to the Narcotics Unit?</p> <p>12 A. No.</p> <p>13 Q. Did you have any understanding of where Danny</p> <p>14 and Shannon wanted to be assigned at that time?</p> <p>15 A. As far as I know they wanted to work the</p> <p>16 investigation.</p> <p>17 Q. You're aware that they were moved to</p> <p>18 inspections in approximately July of 2011?</p> <p>19 A. You know what; I wouldn't recall the dates,</p> <p>20 but I could say that they were detailed to inspections.</p> <p>21 Q. Were you ever told that Patrick Smith was</p> <p>22 being investigated and was removed from Brass Tacks?</p> <p>23 A. I was told that there was an issue and I</p> <p>24 think I mentioned it earlier that either it was some</p>

<p style="text-align: right;">Page 82</p> <p>1 failure of documenting the use of the informant or</p> <p>2 misuse of the informant.</p> <p>3 Q. Was the investigation under Smith ever used</p> <p>4 to prosecuted Watts, Mohammed or any of his team</p> <p>5 members?</p> <p>6 A. That, I don't know. That's something I</p> <p>7 wouldn't know.</p> <p>8 Q. Did the FBI ever admit that -- to you that</p> <p>9 their Agent Smith had messed up the investigation and</p> <p>10 it was not the fault of Officers Echeverria and</p> <p>11 Spalding?</p> <p>12 A. No.</p> <p>13 Q. Did they ever tell you anything to the effect</p> <p>14 of that Agent Smith had messed of the investigation of</p> <p>15 Brass Tacks in any way?</p> <p>16 A. No.</p> <p>17 Q. Did they ever tell you that the investigation</p> <p>18 under Patrick Smith and his removal had anything to do</p> <p>19 with Danny or Shannon?</p> <p>20 A. No.</p> <p>21 Q. Did they ever tell that you Danny or Shannon</p> <p>22 ever did anything inappropriate while they were working</p> <p>23 with the FBI?</p> <p>24 A. The only thing I can recall was a situation</p>	<p style="text-align: right;">Page 84</p> <p>1 the equipment in it?</p> <p>2 A. No.</p> <p>3 Q. Did you hear anything about improper</p> <p>4 paperwork by Smith regarding the vehicle?</p> <p>5 A. No.</p> <p>6 Q. Did you ever hear anything about the fact</p> <p>7 that the vehicle -- a vehicle was taken away with</p> <p>8 equipment in it?</p> <p>9 A. No.</p> <p>10 Q. Did you ever have a meeting with Rivera?</p> <p>11 (Discussion between Mr. Smith and</p> <p>12 Shannon Spalding sotto voce.)</p> <p>13 BY MR. SMITH:</p> <p>14 Q. Did you ever have a meeting with IAD</p> <p>15 Commander Klimas in which this incident was brought up</p> <p>16 and there was a refusal -- that there was a</p> <p>17 determination that Danny and Shannon were going to</p> <p>18 refuse to go -- report back to the FBI until the matter</p> <p>19 was cleared up?</p> <p>20 A. No.</p> <p>21 Q. Would you remember any meeting with Klimas</p> <p>22 and yourself regarding an issue concerning Shannon and</p> <p>23 Danny and the FBI?</p> <p>24 A. Again, I'm sure we discussed the missing</p>
<p style="text-align: right;">Page 83</p> <p>1 where I believe it was mid -- I don't know if it was</p> <p>2 July 2010 Echeverria called me and stated to me that, I</p> <p>3 believe it was Agent Smith had questioned him regarding</p> <p>4 some kind of equipment. I don't know if it was a</p> <p>5 transponder or eavesdropping equipment that was</p> <p>6 missing, and at that point in time the conversation or</p> <p>7 the discussion got heated and I believe -- I believe it</p> <p>8 was Patrick Smith told them that they were no longer to</p> <p>9 report to the FBI facility.</p> <p>10 Q. Do you remember when that was?</p> <p>11 A. I think I mentioned, I don't know if it was</p> <p>12 July of 2010 or somewhere in that range.</p> <p>13 Q. Was that incident ever cleared up?</p> <p>14 A. We -- I think, and again I'm going back here,</p> <p>15 from what I could recall, I think there was inquiries</p> <p>16 as to whether this was an issue for Echeverria or</p> <p>17 Spalding and nothing came of it.</p> <p>18 Q. And who did you ask if it was an issue?</p> <p>19 A. I don't know if I went through Chester or we</p> <p>20 called someone in my office, one of my command staff</p> <p>21 called. I don't recall. I can't recall.</p> <p>22 Q. Did you learn that Smith did not do the</p> <p>23 proper paperwork to allow them to have an FBI vehicle</p> <p>24 or equipment and the vehicle was taken away with all</p>	<p style="text-align: right;">Page 85</p> <p>1 piece of equipment and the fact that they were told</p> <p>2 they could no longer report to the FBI facility. So we</p> <p>3 had to make other arrangements and I'm sure we had</p> <p>4 conversations regarding that.</p> <p>5 Q. Do you remember Tom Chester being present for</p> <p>6 that?</p> <p>7 A. I wouldn't -- I wouldn't be able to recall.</p> <p>8 It's possible. I don't know. I can't remember.</p> <p>9 Q. Do you remember that you issued Danny and</p> <p>10 Shannon an IAD vehicle when the FBI vehicle was taken</p> <p>11 away?</p> <p>12 A. Yes.</p> <p>13 Q. Did Danny or Shannon ever inform you that</p> <p>14 they were being harassed by individuals in Unit 126</p> <p>15 including Lieutenant Pasqua?</p> <p>16 A. No, they didn't -- They didn't tell me they</p> <p>17 were being harassed. What they basically said was they</p> <p>18 did not want to be inside in administrative capacity</p> <p>19 and they wanted to go back out and they wanted me to</p> <p>20 assign a vehicle to them and radios. And I basically</p> <p>21 told them that that would compromise them. I told them</p> <p>22 they had to take direction from the supervisors there,</p> <p>23 and they were having a hard time doing that. And there</p> <p>24 was a lot of miscommunication with regards to what they</p>

<p style="text-align: right;">Page 86</p> <p>1 were being told to do and their refusal to cooperate.</p> <p>2 Q. Did you have any idea what they were doing at</p> <p>3 Unit 126, what type of work?</p> <p>4 A. Whatever inspections, whatever the</p> <p>5 supervisors assign them to.</p> <p>6 Q. Did they ask with discuss with you at all</p> <p>7 what the actual work was?</p> <p>8 A. Administrative work.</p> <p>9 Q. In terms of what type of administrative work?</p> <p>10 A. No, I didn't get into details.</p> <p>11 Q. Did they ever tell you that they went to</p> <p>12 Commander Stanley about the retaliation and</p> <p>13 inappropriate contact of Lieutenant Pasqua.</p> <p>14 MR. KING: Object to the form of the question.</p> <p>15 "Inappropriate."</p> <p>16 THE COURT REPORTER: Did you answer?</p> <p>17 THE WITNESS: I'm sorry. Can you repeat it.</p> <p>18 BY MR. SMITH:</p> <p>19 Q. I can repeat it.</p> <p>20 Did they ever tell you that they went to</p> <p>21 defendant -- I mean, went to Adrienne Stanley about the</p> <p>22 conduct and harassment of Lieutenant Pasqua at 126?</p> <p>23 MR. KING: Same objection to the form. Lack of</p> <p>24 foundation.</p>	<p style="text-align: right;">Page 88</p> <p>1 A. No.</p> <p>2 Q. Did you ever tell them to hang in there?</p> <p>3 A. No.</p> <p>4 Q. If Shannon or Danny Echeverria had told you</p> <p>5 that Pasqua was calling them "Rat" and harassing them</p> <p>6 for being individuals who had worked in</p> <p>7 police-on-police investigations and that they felt that</p> <p>8 they were being harassed and weren't getting treated</p> <p>9 fairly in Unit 126, would you have initiated a CR</p> <p>10 against Lieutenant Pasqua.</p> <p>11 MR. KING: Just object to the form and</p> <p>12 hypothetical, but you can answer.</p> <p>13 BY THE WITNESS:</p> <p>14 A. If that was brought to my attention?</p> <p>15 BY MR. SMITH:</p> <p>16 Q. Hypothetically speaking.</p> <p>17 A. Yes.</p> <p>18 Q. Do you think it would be your obligation to</p> <p>19 do so?</p> <p>20 A. Yes, and I would expect the officers to</p> <p>21 document and submit a report regarding the details.</p> <p>22 Q. In terms of -- Do you know a Mike Barts?</p> <p>23 A. Yes.</p> <p>24 Q. Did you know that he was assigned to</p>
<p style="text-align: right;">Page 87</p> <p>1 BY THE WITNESS:</p> <p>2 A. No.</p> <p>3 BY MR. SMITH:</p> <p>4 Q. Do you know Lieutenant Pasqua?</p> <p>5 A. I know of her.</p> <p>6 Q. Was there an occasion where you had to issue</p> <p>7 or ask for a CR with respect to her?</p> <p>8 A. No.</p> <p>9 Q. Did she ever ask for a CR with respect to</p> <p>10 you?</p> <p>11 A. "She" meaning?</p> <p>12 Q. Lieutenant Pasqua.</p> <p>13 A. No.</p> <p>14 Q. Did you ever have an issue with</p> <p>15 Lieutenant Pasqua in terms of that was a negative</p> <p>16 situation?</p> <p>17 A. No, I had very little contact with Pasqua.</p> <p>18 Q. Did you ever tell Shannon or Danny that</p> <p>19 Lieutenant Pasqua is nuts?</p> <p>20 A. No.</p> <p>21 Q. Did you ever tell Shannon and Danny that</p> <p>22 Pasqua is nuts and hates you for working with Rivera</p> <p>23 because he had a past issue with her and asked for a CR</p> <p>24 number?</p>	<p style="text-align: right;">Page 89</p> <p>1 investigate a CR with respect to Shannon Spalding?</p> <p>2 A. Yes.</p> <p>3 Q. Did you know that he was also assigned to</p> <p>4 investigate the CR that was initiated because of the</p> <p>5 filing of this lawsuit?</p> <p>6 A. Again, I don't recall if that's the case or</p> <p>7 not. I'd have to ...</p> <p>8 Q. Would it surprise you to learn that an</p> <p>9 investigator who was assigned to investigate a CR</p> <p>10 against for another incident involving the allegations</p> <p>11 in a complaint would be assigned also to investigate</p> <p>12 the complaint itself?</p> <p>13 A. No.</p> <p>14 Q. Did you know any of the details of what</p> <p>15 Mike Barts did during the investigation of Shannon?</p> <p>16 A. No, I wouldn't have details on it.</p> <p>17 Q. Would you think it would be appropriate for</p> <p>18 an investigator in Internal Affairs tell a police</p> <p>19 officer who had a CR that she was under arrest --</p> <p>20 MR. KING: Object to the form. Calling for</p> <p>21 speculation and lack of foundation.</p> <p>22 BY MR. SMITH:</p> <p>23 Q. -- while investigating a CR?</p> <p>24 A. Again, your asking me to speculate on</p>

<p style="text-align: right;">Page 90</p> <p>1 something. I can't answer that.</p> <p>2 Q. Are you familiar at all with that CR?</p> <p>3 A. I don't have details. I wouldn't know</p> <p>4 details, no.</p> <p>5 Q. Did you ever review that CR?</p> <p>6 A. No.</p> <p>7 Q. Would you have -- we already mentioned --</p> <p>8 Would you agree that it was probably around</p> <p>9 October 2011 that Danny and Shannon were called back to</p> <p>10 assist the FBI with the completion of</p> <p>11 Operation Brass Tacks?</p> <p>12 A. I would be speculating. I don't know the</p> <p>13 exact date.</p> <p>14 Q. Would you agree that Danny and Shannon</p> <p>15 continue to work with the FBI until the arrest -- with</p> <p>16 the case with the FBI until there was arrests and</p> <p>17 indictments of Ronald Watts an Kallatt Mohammed?</p> <p>18 A. Yes.</p> <p>19 Q. Would you have any problem with the date of</p> <p>20 February 2012?</p> <p>21 A. That sounds about right.</p> <p>22 Q. After that time you would agree that Shannon</p> <p>23 and Danny weren't sent back to Narcotics or Organized</p> <p>24 Crime Division, correct?</p>	<p style="text-align: right;">Page 92</p> <p>1 overtime stipend and a vehicle, and I told them that</p> <p>2 wouldn't be up to me, that I would take it up the</p> <p>3 chain.</p> <p>4 Q. Did you ever sit down and talk with them and</p> <p>5 say what's going on here? How urgent is the situation</p> <p>6 for you to move? Why is it so bad?</p> <p>7 A. No.</p> <p>8 Q. And Shannon Spalding never ever told you that</p> <p>9 it's a hostile work environment and they wanted you to</p> <p>10 initiate a CR investigation into what people in 126</p> <p>11 were doing with respect to her?</p> <p>12 A. No, and again, I would a expected a to-from</p> <p>13 detailing the alleged misconduct.</p> <p>14 Q. When you took that CR you spoke of regarding</p> <p>15 Hernandez and Sergeant Padar when she reported to you,</p> <p>16 did you have her do a written report at that time?</p> <p>17 A. In that circumstances, no, because she</p> <p>18 approached me as advice is the way she put it.</p> <p>19 Q. So even -- and if you -- She would have</p> <p>20 orally asked you to do a CR against Pasqua,</p> <p>21 Lieutenant Pasqua, would you have refused to do a CR.</p> <p>22 MR. KING: Just object to the lack of foundation.</p> <p>23 THE WITNESS: I'm sorry.</p> <p>24 MR. KING: No evidence what the CR would be about.</p>
<p style="text-align: right;">Page 91</p> <p>1 A. That's correct.</p> <p>2 Q. They returned instead to Unit 126?</p> <p>3 A. They were in Unit 126. They were detailed.</p> <p>4 Q. Was there any effort at that time to find</p> <p>5 another unit for Danny and Shannon?</p> <p>6 A. They had asked me to help them. They wanted</p> <p>7 to go to an FBI task force and I think I had mentioned</p> <p>8 the Fugitive Apprehension Unit which is a sought after</p> <p>9 position unit and they were okay with either one. I</p> <p>10 told them I would have to check with my superiors and</p> <p>11 that's what I did.</p> <p>12 Q. Do you recall if Shannon at or about that</p> <p>13 time told you that she was experiencing anxiety</p> <p>14 attacks?</p> <p>15 A. No.</p> <p>16 Q. Do you recall if at any point in time Shannon</p> <p>17 ever told you that she was experiencing anxiety</p> <p>18 attacks?</p> <p>19 A. No.</p> <p>20 Q. Did you recall having any conversations with</p> <p>21 Shannon indicating that she was upset and having real</p> <p>22 difficulties being in Unit 126?</p> <p>23 A. No. She just wanted to -- They insisted on</p> <p>24 an FBI task force and their whole object was to get</p>	<p style="text-align: right;">Page 93</p> <p>1 BY MR. SMITH:</p> <p>2 Q. If she had said Pasqua was hostile calling</p> <p>3 her rats and treating her poorly because of what she</p> <p>4 thought of her having investigated a fellow officers,</p> <p>5 would you have refused to do a CR if there was no</p> <p>6 written report she had created?</p> <p>7 A. The fact is that never happened.</p> <p>8 Q. I'm asking you hypothetically.</p> <p>9 A. Again, you want me to speculate on something</p> <p>10 and I wouldn't be able to answer that. You want me to</p> <p>11 speculate on something that didn't happen.</p> <p>12 Q. So it you might -- You might have done one</p> <p>13 anyhow without a written report and you might not have?</p> <p>14 MR. KING: Objection to the form. Calling for</p> <p>15 speculation and asked and answered already.</p> <p>16 BY THE WITNESS:</p> <p>17 A. Again, I would have expected the officer to</p> <p>18 have a written to-from documenting the details of the</p> <p>19 allegations.</p> <p>20 BY MR. SMITH:</p> <p>21 Q. And the Hernandez incident, did you have</p> <p>22 Hernandez do a written report?</p> <p>23 A. I had him meet with a supervisor and I took a</p> <p>24 statement, obviously, because I was in the field.</p>

<p style="text-align: right;">Page 94</p> <p>1 Q. But he didn't do a written report?</p> <p>2 A. Again, he met with the investigators and they</p> <p>3 took his complaint.</p> <p>4 Q. As you sit here today, do you know if</p> <p>5 Hernandez did a written report or not?</p> <p>6 A. I don't recall. What I recall is I referred</p> <p>7 them to my supervisor and he went into Internal Affairs</p> <p>8 where the supervisor spoke to him and took his</p> <p>9 information and documented it.</p> <p>10 Q. Do all CR numbers have written reports that</p> <p>11 come from officers?</p> <p>12 MR. KING: Object to the lack of foundation, the</p> <p>13 form of the question.</p> <p>14 BY THE WITNESS:</p> <p>15 A. Again, they should.</p> <p>16 BY MR. SMITH:</p> <p>17 Q. As far as you know, you have been working</p> <p>18 IAD for a long time now; do the CRs you've seen, do all</p> <p>19 of them are reports from the officer?</p> <p>20 A. There is some anonymous complaints that come</p> <p>21 in. There's some complaints that came through e-mail</p> <p>22 to IPRA.</p> <p>23 Q. And some are verbally made, correct?</p> <p>24 A. Usually, if they were verbally made to a</p>	<p style="text-align: right;">Page 96</p> <p>1 Q. Yes.</p> <p>2 A. Yes, I arranged it.</p> <p>3 Q. In terms of -- Before you arranged that, did</p> <p>4 you receive a call from Chief Tom Bryne telling you</p> <p>5 that Danny and Shannon should be sent to Fugitives?</p> <p>6 A. No, approached Tom Bryne after the officers</p> <p>7 told me they knew him.</p> <p>8 Q. And when you approached Tom Bryne, did he</p> <p>9 already know of the situation?</p> <p>10 A. No.</p> <p>11 Q. And Tom Bryne didn't call you first?</p> <p>12 A. No.</p> <p>13 Q. Were you aware -- Did he make you aware that</p> <p>14 Danny and Shannon had talked to him?</p> <p>15 A. If he had, he didn't mention it. I wasn't</p> <p>16 aware.</p> <p>17 Q. And Tom Bryne, he did indicate that he knew</p> <p>18 Danny and Shannon?</p> <p>19 A. Yes.</p> <p>20 Q. Did he indicate that he would be happy to</p> <p>21 have them work for him in Fugitives?</p> <p>22 A. Yes.</p> <p>23 Q. Do you recall an occasion where</p> <p>24 Danny Echeverria told you that if you didn't get a CR</p>
<p style="text-align: right;">Page 95</p> <p>1 supervisor it's a report, according to the directive,</p> <p>2 is generated the supervisor initiates the log.</p> <p>3 Q. Isn't it true that if an officer goes to a</p> <p>4 supervisor and tells them about improper conduct that</p> <p>5 the supervisor's actually mandated to write a written</p> <p>6 report, a CR, take the CR?</p> <p>7 MR. KING: Just object to the form of the</p> <p>8 question. The use of the term "improper conduct."</p> <p>9 BY THE WITNESS:</p> <p>10 A. That's a separate report. That's the</p> <p>11 initiation report.</p> <p>12 BY MR. SMITH:</p> <p>13 Q. The supervisor, the one who is told about it,</p> <p>14 is the one who has to do the initiation report; is that</p> <p>15 correct?</p> <p>16 A. That's correct.</p> <p>17 Q. Did Shannon and Danny ever tell you that when</p> <p>18 they were in Unit 126 they would have is sit idly for</p> <p>19 an entire shift?</p> <p>20 A. No.</p> <p>21 Q. You're aware that at some point in time Danny</p> <p>22 and Shannon were detailed to the bureau of Detective</p> <p>23 Fugitive Apprehension Unit?</p> <p>24 A. Was I aware?</p>	<p style="text-align: right;">Page 97</p> <p>1 relating to the retaliation that Danny would go to an</p> <p>2 outside unit to file a complaint?</p> <p>3 A. No.</p> <p>4 Q. Did you ever talk to Shannon or Danny about</p> <p>5 their assignment -- the work and what it was like when</p> <p>6 they were assigned to Fugitive Apprehensions?</p> <p>7 A. They enjoyed it. We had a conversation where</p> <p>8 they said they were fine. Um, and then at a certain</p> <p>9 point, I'm not sure of the time frame, I believe</p> <p>10 Echeverria called me and stated they had concerns</p> <p>11 because they were getting reassigned to a different</p> <p>12 team and they were complaining that the team they were</p> <p>13 on was US Marshals team and they were going to a</p> <p>14 fugitive -- I'm not sure what they referred to it as, a</p> <p>15 fugitive street team. I questioned them about it</p> <p>16 because I understood that they were going to a street</p> <p>17 team in the first place.</p> <p>18 So I told them that I was going to make an</p> <p>19 inquiry with Tom Bryne and I subsequently did talk or</p> <p>20 speak to chief Bryne and I asked him what was going on</p> <p>21 with the movement of Shannon and Echeverria and he</p> <p>22 stated that, in essence, they're increasing the size of</p> <p>23 the Fugitives or creating additional teams and that</p> <p>24 they were going to be part of the a new team. And I</p>

25 (Pages 94 - 97)

<p style="text-align: right;">Page 98</p> <p>1 asked him if it was true whether they were on a --</p> <p>2 US Marshals team and being moved to to street team. He</p> <p>3 said, no it's the same type of team doing the same type</p> <p>4 of work. At that point in time I called Echeverria</p> <p>5 back and I told him this is the situation, you're not</p> <p>6 being moved to a -- you weren't a US Marshals team and</p> <p>7 you're not being moved to a street team. You're going</p> <p>8 to continue to work the same type of assignments that</p> <p>9 you were working on the team that you were on.</p> <p>10 At that point in time I asked them if they</p> <p>11 knew who the sergeant was that was on a new team and</p> <p>12 they gave me his name which was Tommy Mills. I then</p> <p>13 told them -- I informed them that I knew him and that</p> <p>14 he had worked for me and I told them that I would call</p> <p>15 him and put a good word in with the sergeant.</p> <p>16 Q. Is that the first time you talked to them</p> <p>17 about their work at ...</p> <p>18 A. Yes.</p> <p>19 Q. At the Fugitives Unit.</p> <p>20 Did either Danny or Shannon ever talk to you</p> <p>21 about continuing being passed up for deputization with</p> <p>22 the marshal?</p> <p>23 A. No.</p> <p>24 Q. And were you aware that at one point in time</p>	<p style="text-align: right;">Page 100</p> <p>1 MR. KING: Object to the form and the lack of</p> <p>2 foundation. Calling for speculation.</p> <p>3 BY THE WITNESS:</p> <p>4 A. Again, you want me to speculate on something</p> <p>5 that didn't happen. I don't know.</p> <p>6 BY MR. SMITH:</p> <p>7 Q. Hypothetically speaking.</p> <p>8 A. Repeat it.</p> <p>9 Q. Would you agree that if the supervisor within</p> <p>10 Fugitives -- or lieutenant or -- and/or the commander</p> <p>11 of the Fugitive Branch Unit told the personnel working</p> <p>12 in the unit that two rats from IAD were coming to work</p> <p>13 here that that would be inappropriate conduct?</p> <p>14 MR. KING: Same objections as to form, lack of</p> <p>15 foundation and calling for speculation.</p> <p>16 BY THE WITNESS:</p> <p>17 A. Again, I would be speculating, but basically</p> <p>18 in the manner you put it, yes.</p> <p>19 BY MR. SMITH:</p> <p>20 Q. Isn't it true that you warned Danny and</p> <p>21 Shannon that they should be careful because stats in a</p> <p>22 unit is a way for supervisors to falsify a case against</p> <p>23 an individual or an officer, so that they should</p> <p>24 document everything?</p>
<p style="text-align: right;">Page 99</p> <p>1 they were reassigned to nighttime fugitive</p> <p>2 apprehension?</p> <p>3 A. No.</p> <p>4 Q. Did Danny or Shannon ever tell you that they</p> <p>5 were upset about being put in a nighttime unit?</p> <p>6 A. No.</p> <p>7 Q. Did Danny and Shannon ever tell you that they</p> <p>8 were being mistreated and harassed and retaliated</p> <p>9 against in the Fugitive Unit?</p> <p>10 A. No.</p> <p>11 Q. Specifically did they tell you any complaints</p> <p>12 about Sergeant Brynes?</p> <p>13 A. No.</p> <p>14 Q. Do you know Sergeant Maurice Brynes?</p> <p>15 A. I know of him and they -- Obviously, the</p> <p>16 conversation I mentioned earlier, Shannon Spalding had</p> <p>17 mentioned that that was the sergeant that they had been</p> <p>18 working with and they were being moved to, like I</p> <p>19 mentioned, a different team and they were upset about</p> <p>20 having to move.</p> <p>21 Q. You would agree that if a lieutenant or a</p> <p>22 commander told their personnel that we got IAD rats</p> <p>23 coming to the unit, that would be something that would</p> <p>24 be inappropriate?</p>	<p style="text-align: right;">Page 101</p> <p>1 A. No.</p> <p>2 Q. Do you recall having any conversation of that</p> <p>3 effect ever?</p> <p>4 A. No.</p> <p>5 Q. Did Tom Chester ever call you about Danny and</p> <p>6 Shannon's difficulties at Fugitive Apprehension?</p> <p>7 A. No, as I mentioned earlier the conversation</p> <p>8 where they claimed they were being moved from a</p> <p>9 US Marshals team to a street team, during that</p> <p>10 conversation apparently he had called Chester and also</p> <p>11 pointed that out to him. He then calls me and tells me</p> <p>12 to expect a call because they're now complaining that</p> <p>13 they were moved from a US Marshal's team to a street</p> <p>14 team and shortly, thereafter, like I mentioned,</p> <p>15 Echeverria did call me.</p> <p>16 Q. Did you tell them that you were calling</p> <p>17 Mills, Danny or Shannon, that were you calling Mills to</p> <p>18 put in a good word for them?</p> <p>19 A. Yes.</p> <p>20 Q. Did you tell them that you were a person that</p> <p>21 promoted Mills?</p> <p>22 A. Yes. I --</p> <p>23 Well, strike that. If I can correct that.</p> <p>24 MR. KING: Go a head.</p>

<p style="text-align: right;">Page 102</p> <p>1 BY THE WITNESS:</p> <p>2 A. I did not promote him. I nominated him.</p> <p>3 BY MR. KING:</p> <p>4 Q. But you told Danny and Shannon that you had</p> <p>5 helped promote Mills?</p> <p>6 A. That I had submitted him for promotion.</p> <p>7 Q. And, in fact, you told them that when you</p> <p>8 were doing it you said to them, We'll see where his</p> <p>9 loyalty lies now?</p> <p>10 A. No.</p> <p>11 Q. Why did you tell them that you promoted</p> <p>12 Mills?</p> <p>13 A. Because I wanted to establish the fact</p> <p>14 that -- that they realized that I had a good</p> <p>15 relationship with the sergeant and that he had also</p> <p>16 worked in Internal Affairs.</p> <p>17 Q. Why did you think it was important to make</p> <p>18 sure that they know that he already worked in</p> <p>19 Internal Affairs?</p> <p>20 A. Because, obviously, they were concerned that</p> <p>21 they were going to be mistreated and they were</p> <p>22 complaining that they were being moved from one team to</p> <p>23 to another and I told them, you know, Tommy Mills</p> <p>24 definitely will not have issues. He's a good person.</p>	<p style="text-align: right;">Page 104</p> <p>1 Q. Do you recall telling Shannon and Danny</p> <p>2 that -- or Shannon and telling them about your efforts</p> <p>3 with Mills and indicating that your hands were tied and</p> <p>4 this is their last chance, if you can't make it here</p> <p>5 your careers are over?</p> <p>6 A. No.</p> <p>7 Q. Do you believe after you spoke to Tom Bryne</p> <p>8 that you explained to Bryne why Danny and Shannon were</p> <p>9 being kicked off the team? I'm sorry.</p> <p>10 Do you recall explaining to Tom Bryne that</p> <p>11 Danny and Shannon were being kicked off of the team?</p> <p>12 MR. KING: Just object to the form of the</p> <p>13 question.</p> <p>14 BY THE WITNESS:</p> <p>15 A. First of all, it was put to me that they were</p> <p>16 being move to a different team, not kicked off. And</p> <p>17 like I said, I had a conversation with Tom Bryne. He</p> <p>18 explained what was taking place and his explanation was</p> <p>19 they were expanding the Fugitives Unit and they were</p> <p>20 creating new teams and they were being assigned to a</p> <p>21 new team.</p> <p>22 BY MR. SMITH:</p> <p>23 Q. So you didn't have a conversation with them</p> <p>24 saying that they were getting kicked off?</p>
<p style="text-align: right;">Page 103</p> <p>1 Q. You told them --</p> <p>2 A. Good supervisor.</p> <p>3 Q. -- you thought there was a chance that he</p> <p>4 might not have a problem with them being from IAD when</p> <p>5 they complaining about everybody else calling them</p> <p>6 Rats, isn't that correct?</p> <p>7 MR. KING: Objection to the form. Lack of</p> <p>8 foundation. States facts not in evidence. Certainly</p> <p>9 misstates this witness' testimony.</p> <p>10 BY THE WITNESS:</p> <p>11 A. No. Again, I was not even aware that he was</p> <p>12 the supervisor on a team that they were going to be</p> <p>13 reassigned to until they told me.</p> <p>14 BY MR. SMITH:</p> <p>15 Q. Were you aware that -- Or did you ever speak</p> <p>16 to Shannon or Danny about Shannon's being banned from</p> <p>17 Chicago Police Headquarters at Homan square?</p> <p>18 A. I'm sorry. Can you repeat that.</p> <p>19 Q. Did you ever talk to Shannon or Danny about</p> <p>20 the complaints that Shannon was being banned from</p> <p>21 Chicago Police Headquarters at Homan Square?</p> <p>22 A. Headquarters.</p> <p>23 Q. Homan Square, period.</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 105</p> <p>1 A. No.</p> <p>2 Q. And there was no response by Bryne that he</p> <p>3 was shocked and surprised that they were getting kicked</p> <p>4 off a team?</p> <p>5 A. No, he knew exactly why it was taking place.</p> <p>6 Q. And you didn't think that -- Did you ever to</p> <p>7 Shannon or Danny that things might get worse because</p> <p>8 you're going over people's heads?</p> <p>9 A. No.</p> <p>10 Q. So you never heard -- Did you ever hear</p> <p>11 anything about Shannon being told she shouldn't be</p> <p>12 around Homan Square?</p> <p>13 A. No.</p> <p>14 Q. Or a guard house at Homan Square?</p> <p>15 A. No.</p> <p>16 Q. You're aware that Watts and Mohammed plead</p> <p>17 guilty to extorting drug dealers?</p> <p>18 A. Yes, the plead guilty.</p> <p>19 Q. You're aware that in the plea it was</p> <p>20 described that the criminal misconduct went back to at</p> <p>21 least 2007?</p> <p>22 A. Again, can you repeat that.</p> <p>23 Q. Were you aware that in the plea Watts</p> <p>24 described that his criminal misconduct went back to at</p>

<p style="text-align: right;">Page 106</p> <p>1 least 2007?</p> <p>2 A. Again, I don't recall reading that, but it's</p> <p>3 possible.</p> <p>4 Q. Did you ever talk to Sergeant Mills about</p> <p>5 Danny or Shannon after they began to work with him?</p> <p>6 A. I believe we may have had a conversation and</p> <p>7 he was fine with them.</p> <p>8 Q. Anything after that?</p> <p>9 A. Afterwards he did call me, um, asking me for</p> <p>10 advice and basically what he told me was that an</p> <p>11 officer had relayed to him that they had heard or they</p> <p>12 had observed Shannon and she was playing what they</p> <p>13 believe was a recorded conversation on her phone with</p> <p>14 regards to Tommy Mills and, obviously, the allegation</p> <p>15 was that Shannon had recorded Tommy Mills.</p> <p>16 Q. And what about did you tell him?</p> <p>17 A. I basically told him that at that point in</p> <p>18 time I don't know exactly where the eavesdropping law</p> <p>19 was. I guess it was the eavesdropping laws were being</p> <p>20 changed or so and I -- I advised him to call Legal</p> <p>21 Affairs for advice.</p> <p>22 Q. Did you ask him if he knew who or how</p> <p>23 somebody says that they believed Shannon was taping</p> <p>24 Sergeant Mills?</p>	<p style="text-align: right;">Page 108</p> <p>1 Q. Is notification given in any way to the</p> <p>2 subject of the complaint?</p> <p>3 A. To the accused?</p> <p>4 Q. Yes.</p> <p>5 A. I'm sure it is.</p> <p>6 Q. Do you know if this was done in this case?</p> <p>7 A. That I wouldn't --</p> <p>8 MR. KING: Object to the form of "this case."</p> <p>9 BY MR. SMITH:</p> <p>10 Q. In the case of Shannon's CR and the</p> <p>11 Tommy Mills complaint?</p> <p>12 A. Can you repeat that?</p> <p>13 Q. Do you know if Shannon Spalding was given any</p> <p>14 notice that Sergeant Mills -- or there was a CR</p> <p>15 initiated against her relating to this Sergeant Mills</p> <p>16 accusation?</p> <p>17 A. I don't recall if it was or not.</p> <p>18 Q. Would it surprise you if she wasn't and she</p> <p>19 was -- two male officers came to her unit and took her</p> <p>20 into a room?</p> <p>21 A. Again, you're asking me to speculate as to</p> <p>22 something that I -- I don't know or have knowledge of.</p> <p>23 Q. I'm asking you as the chief of IAD if it</p> <p>24 would surprise you that that happened?</p>
<p style="text-align: right;">Page 107</p> <p>1 A. Again, what he told me was there was an</p> <p>2 officer who actually -- there was an officer who</p> <p>3 actually had told him.</p> <p>4 Q. Did he give you the name of the officer?</p> <p>5 A. If he did, I don't recall.</p> <p>6 Q. Did they do a written report? Did you have</p> <p>7 him do a written report?</p> <p>8 A. I don't know. I told him to get advice from</p> <p>9 Legal Affairs and Tommy Mills apparently initiated a</p> <p>10 number, an investigation.</p> <p>11 Q. Do you know if he ever did a written report?</p> <p>12 A. That I wouldn't be able to tell you.</p> <p>13 Q. Did you know if it even met the criteria of a</p> <p>14 CR?</p> <p>15 A. Again, apparently after seeking advice from</p> <p>16 Legal it must have met the criteria and he went</p> <p>17 forward, I believe, with the CR.</p> <p>18 Q. How long in your experience between the time</p> <p>19 the CR was filed and -- a CR is filed and an</p> <p>20 investigation initiated, is it usually within IAD or</p> <p>21 within -- afterwards is interview done of the subject</p> <p>22 of the alleged complaint?</p> <p>23 A. Again, I would be speculating. It all is</p> <p>24 contingent on the investigation.</p>	<p style="text-align: right;">Page 109</p> <p>1 MR. KING: Object to the form and lack of</p> <p>2 foundation and calling for speculation.</p> <p>3 BY THE WITNESS:</p> <p>4 A. Again, I'm speculating and I would -- I would</p> <p>5 not know what their motives are as far as going to</p> <p>6 what, interview?</p> <p>7 BY MR. SMITH:</p> <p>8 Q. Do you know if that would be proper</p> <p>9 procedure?</p> <p>10 A. To --</p> <p>11 Q. So approach and accuse at their work without</p> <p>12 giving notification and take that person, a female,</p> <p>13 into -- with two male investigators and take her into a</p> <p>14 room at their job location?</p> <p>15 MR. KING: Same objection.</p> <p>16 BY THE WITNESS:</p> <p>17 A. Again, you you want me to speculate. If it's</p> <p>18 an allegation of criminal nature, yes, they would do</p> <p>19 that.</p> <p>20 BY MR. SMITH:</p> <p>21 Q. Would that require a probable cause to do</p> <p>22 that then?</p> <p>23 MR. KING: Same objection. Go ahead.</p> <p>24</p>

<p style="text-align: right;">Page 110</p> <p>1 BY THE WITNESS:</p> <p>2 A. Again, it's not -- no one is being placed</p> <p>3 under arrest. They're just being interviewed or</p> <p>4 questioned regarding ...</p> <p>5 BY MR. SMITH:</p> <p>6 Q. You're aware that if somebody is not allowed</p> <p>7 to leave they're under arrest?</p> <p>8 MR. KING: Objection to the form and calling for a</p> <p>9 legal conclusion.</p> <p>10 BY MR. SMITH:</p> <p>11 Q. Correct.</p> <p>12 A. Again, you want me to speculate as to whether</p> <p>13 the person was or wasn't allowed to leave.</p> <p>14 Q. No, I want you to acknowledge that if two of</p> <p>15 your investigators or two people working under you took</p> <p>16 somebody into a room and refused to let them leave,</p> <p>17 that would have been tantamount to an arrest?</p> <p>18 MR. KING: Same objection.</p> <p>19 BY THE WITNESS:</p> <p>20 A. Again, I would be speculating whether it was</p> <p>21 criminal in nature as to what they were asking or</p> <p>22 administrative.</p> <p>23 BY MR. SMITH:</p> <p>24 Q. Are your investigators informed that if they</p>	<p style="text-align: right;">Page 112</p> <p>1 earlier, after the lawsuit.</p> <p>2 Q. Did you talk about any other allegations that</p> <p>3 plaintiffs had made in the lawsuit?</p> <p>4 A. No.</p> <p>5 Q. Did you talk about the press conference and</p> <p>6 all with him?</p> <p>7 A. I don't recall. I don't believe so.</p> <p>8 Q. Did you see the press conference?</p> <p>9 A. Yes.</p> <p>10 Q. Did you talk to Debra Kirby about this</p> <p>11 lawsuit?</p> <p>12 A. I don't recall if I did or not.</p> <p>13 Q. Did you talk to Kevin Sedowski about this</p> <p>14 lawsuit?</p> <p>15 A. No.</p> <p>16 Q. Debra Pasqua about this lawsuit?</p> <p>17 A. No.</p> <p>18 Q. Commander Stanley about this lawsuit?</p> <p>19 A. I think we did discuss that, you no, the</p> <p>20 lawsuit was filed. I don't believe we got into</p> <p>21 details.</p> <p>22 Q. How long have you known Debra Kirby?</p> <p>23 A. Again, off and on. I would say I knew of</p> <p>24 her -- We came on the Police Department together, 1986,</p>
<p style="text-align: right;">Page 111</p> <p>1 are going to take somebody -- arrest that they should</p> <p>2 give them their Miranda Rights?</p> <p>3 A. Again, you're asking me to speculate. If</p> <p>4 they are going to arrest them, then, obviously, you</p> <p>5 would give them the Miranda Rights. If your conducting</p> <p>6 an administrative case or investigation that's totally</p> <p>7 separate and apart.</p> <p>8 Q. Did anyone ever find out if it's even against</p> <p>9 again the law to record an officer while you were on</p> <p>10 duty at that time?</p> <p>11 A. Apparently and, again, you want me to</p> <p>12 speculate, apparently sergeant pills spoke to someone</p> <p>13 in Legal and they stated that it was illegal and he</p> <p>14 moved forward with the CR.</p> <p>15 Q. Did you ever talk to Sergeant Mills again</p> <p>16 about at that CR?</p> <p>17 A. No.</p> <p>18 Q. In terms of this lawsuit, did you ever talk</p> <p>19 to James O'Grady about this lawsuit?</p> <p>20 A. No.</p> <p>21 Q. Did you ever talk to Nick Roti about this</p> <p>22 lawsuit?</p> <p>23 A. Yes. We discussed, again, that's when he</p> <p>24 mentioned the issue and I think we covered that</p>	<p style="text-align: right;">Page 113</p> <p>1 but our paths didn't cross until probably 2005 when she</p> <p>2 was the Assistant Deputy Superintendent of</p> <p>3 Internal Affairs while I was the lieutenant there in</p> <p>4 confidential.</p> <p>5 Q. Did Nicholas Roti start with you in 1986,</p> <p>6 also?</p> <p>7 A. I'm not sure if he did. Possibly.</p> <p>8 Q. How long have you known him?</p> <p>9 A. I'm trying to think about that. It may have</p> <p>10 been -- I might have met him years ago when I was in --</p> <p>11 I'm not sure if it's a specialized unit.</p> <p>12 Q. How about James O'Grady, do you remember when</p> <p>13 you met him?</p> <p>14 A. I met him when he was in Narcotics. He was a</p> <p>15 PO and I was a sergeant.</p> <p>16 Q. And what -- Were you the sergeant of a team</p> <p>17 that he was on?</p> <p>18 A. No.</p> <p>19 Q. I asked you a question about Len Lewellyn.</p> <p>20 Did you ever work with Len Lewellyn?</p> <p>21 A. No.</p> <p>22 Q. Do you know Maurice Barnes?</p> <p>23 A. I know of him from -- I believe he was in</p> <p>24 narcotics also as a PO.</p>

<p style="text-align: right;">Page 114</p> <p>1 Q. Did you ever talk to him about this lawsuit?</p> <p>2 A. No.</p> <p>3 Q. Do you know Lieutenant Robert Cesario?</p> <p>4 A. Yes.</p> <p>5 Q. How long have you known Robert Cesario?</p> <p>6 A. Again, I don't know him all that well. I</p> <p>7 think we took courses together, college courses.</p> <p>8 That's -- That's a few years back.</p> <p>9 Q. Did you ever talk to him about this lawsuit?</p> <p>10 A. No. This lawsuit.</p> <p>11 Q. Do you know Joseph Salemmé?</p> <p>12 A. Yes.</p> <p>13 Q. How long have you known him?</p> <p>14 A. Again, I believe he was in Narcotics when I</p> <p>15 was there.</p> <p>16 Q. Did you ever talk to him about the lawsuit?</p> <p>17 A. I don't recall talking to him, no.</p> <p>18 Q. Did you talk to Thomas Mills about the</p> <p>19 lawsuit?</p> <p>20 A. We may have mentioned the fact that there was</p> <p>21 a lawsuit filed, but I don't believe we went into</p> <p>22 details. I believe at the time we spoke he wasn't part</p> <p>23 of the -- he wasn't part of the lawsuit.</p> <p>24 Q. And do you recall him telling you that -- Do</p>	<p style="text-align: right;">Page 116</p> <p>1 BY MR. SMITH:</p> <p>2 Q. Do you see Exhibit No. 3 for identification?</p> <p>3 Is a counseling session report. It's actually two</p> <p>4 different pages.</p> <p>5 Have you ever seen those before?</p> <p>6 A. The first time I seen these were at the -- my</p> <p>7 counselor's office.</p> <p>8 Q. Do you recall ever speaking with either</p> <p>9 Kevin Sedowski or, I guess, Adrienne Stanley about a</p> <p>10 situation where Danny and Shannon were being given a</p> <p>11 counseling session report?</p> <p>12 A. I didn't speak to Sedowski. I e-mailed him.</p> <p>13 Q. Why did you e-mail him?</p> <p>14 A. Um, the day I e-mailed Sedowski, earlier in</p> <p>15 that day Echeverria had called me and he informed me</p> <p>16 that Lieutenant Sedowski had prepared counseling forms</p> <p>17 and wanted to present them to them that morning.</p> <p>18 At that point in time, I believe the officers</p> <p>19 were involved in the investigation which had restarted.</p> <p>20 I was not aware of the counseling forms until</p> <p>21 Echeverria pointed it out to me, so I then e-mailed</p> <p>22 Sedowski and, in essence, told him to hold off, because</p> <p>23 I wanted to have a conversation, obviously, because I</p> <p>24 was unaware of what the counseling forms were or what</p>
<p style="text-align: right;">Page 115</p> <p>1 you recall him calling you prior to the lawsuit and</p> <p>2 talking to you about the treatment of Danny and</p> <p>3 Shannon?</p> <p>4 A. No.</p> <p>5 MR. SMITH: I'm just going to mark this as Exhibit</p> <p>6 No. 2 for identification.</p> <p>7 (Lieutenant Juan Rivera Exhibit 2</p> <p>8 marked.)</p> <p>9 BY MR. SMITH:</p> <p>10 Q. Do you recognize Exhibit No. 2 for</p> <p>11 identification?</p> <p>12 A. Yes.</p> <p>13 Q. And did you, in fact, sign off on the</p> <p>14 overtime slips over Danny and Shannon for</p> <p>15 November 21, 2011?</p> <p>16 A. Yes.</p> <p>17 MR. SMITH: I'm going to show you what's marked,</p> <p>18 as well, marked as Exhibit No. 3 for identification.</p> <p>19 (Lieutenant Juan Rivera Exhibit 3</p> <p>20 marked.)</p> <p>21 MR. SMITH: It's a two-page document.</p> <p>22 MR. KING: It's two separate pages.</p> <p>23 MR. SMITH: Yeah, it's two different.</p> <p>24</p>	<p style="text-align: right;">Page 117</p> <p>1 the issues were and so I e-mailed him to hold off.</p> <p>2 Q. Did you have a conversation with anybody</p> <p>3 about them?</p> <p>4 A. No.</p> <p>5 Q. Did you do anything further in relation to</p> <p>6 the issue?</p> <p>7 A. No.</p> <p>8 Q. So you just sent an e-mail with just to hold</p> <p>9 off?</p> <p>10 A. Yes.</p> <p>11 Q. And you never gave any further instruction on</p> <p>12 them?</p> <p>13 A. The instruction is we were going to have a</p> <p>14 conversation, but it never -- it never came to fruition</p> <p>15 and counseling forms were never presented to the</p> <p>16 officers.</p> <p>17 Q. Did you ever -- Do you know if you sent</p> <p>18 that -- signed off -- did --</p> <p>19 After you signed off on the overtime, did you</p> <p>20 give it to anybody?</p> <p>21 A. I wouldn't even recall if I did or who --</p> <p>22 Normally, the officers take it to whoever handles that</p> <p>23 either in 126 or 543 -- wherever they were assigned at</p> <p>24 that time.</p>

<p style="text-align: right;">Page 118</p> <p>1 MR. SMITH: Okay. Thank you.</p> <p>2 I'm going to show you what we will mark as</p> <p>3 Exhibit 4.</p> <p>4 (Lieutenant Juan Rivera Exhibit 4</p> <p>5 marked.)</p> <p>6 BY MR. SMITH:</p> <p>7 Q. Do you recognize Exhibit No. 4 for</p> <p>8 identification?</p> <p>9 A. I recall the e-mail, yes.</p> <p>10 Q. Can you see the date on it?</p> <p>11 A. Let's see. Fifth of November. Yes.</p> <p>12 Q. Fifth of November of what year, just for the</p> <p>13 record?</p> <p>14 A. 2010.</p> <p>15 Q. Do you have any recollection of what that was</p> <p>16 about?</p> <p>17 A. No.</p> <p>18 Q. Do you have any recollection at all about an</p> <p>19 urgent situation that Danny was calling but at that</p> <p>20 time?</p> <p>21 A. I can't recall every -- no.</p> <p>22 MR. SMITH: I'm going to show you what we'll mark</p> <p>23 as Rivera Exhibit No. 5 for identification.</p> <p>24</p>	<p style="text-align: right;">Page 120</p> <p>1 sheet?</p> <p>2 A. Yes.</p> <p>3 Q. So --</p> <p>4 A. I acknowledged it, 10-4.</p> <p>5 Q. And what did you acknowledge?</p> <p>6 A. The fact that they were at the offices there.</p> <p>7 Q. Did you contact Mr. Klimas receiving that</p> <p>8 e-mail?</p> <p>9 MR. KING: Object -- Other than him replying to</p> <p>10 the e-mail?</p> <p>11 BY MR. SMITH:</p> <p>12 Q. Yes. Other than the 104.</p> <p>13 A. I don't recall. I know they were there for</p> <p>14 one specific reason and that was to determine how we</p> <p>15 were going to deal with the fact that they had nowhere</p> <p>16 to report.</p> <p>17 MR. SMITH: I'm showing you what we'll mark as</p> <p>18 Rivera No. 6 for identification.</p> <p>19 (Lieutenant Juan Rivera Exhibit 6</p> <p>20 marked.)</p> <p>21 BY MR. KING:</p> <p>22 Q. Do you recognize what we've marked as</p> <p>23 Exhibit No. 6 for identification?</p> <p>24 A. It's the notice that they were going to be</p>
<p style="text-align: right;">Page 119</p> <p>1 (Lieutenant Juan Rivera Exhibit 5</p> <p>2 marked.)</p> <p>3 BY THE WITNESS:</p> <p>4 A. Yes, I recall this.</p> <p>5 BY MR. SMITH:</p> <p>6 Q. Do you recall -- Can you read the date of</p> <p>7 that e-mail?</p> <p>8 A. The 27th, July, 2010.</p> <p>9 Q. And is this an e-mail that you received or</p> <p>10 sent?</p> <p>11 A. This was an e-mail I received from</p> <p>12 Commander Klimas.</p> <p>13 Q. Do you recall what this e-mail was about?</p> <p>14 A. If I am correct, it's with regards to the</p> <p>15 officers being told they were no longer to report to</p> <p>16 the FBI and at that point we were working at trying to</p> <p>17 determine how we were going to make arrangements.</p> <p>18 Q. Did you contact Robert Klimas after receiving</p> <p>19 that e-mail?</p> <p>20 MR. KING: You mean -- object to the form. Since,</p> <p>21 I believe, they're two separate e-mails on this</p> <p>22 exhibit, so ...</p> <p>23 BY MR. SMITH:</p> <p>24 Q. Are there two separate e-mails on the same</p>	<p style="text-align: right;">Page 121</p> <p>1 sent to the academy for retraining and then assigned to</p> <p>2 to patrol.</p> <p>3 Q. Do you recall getting that notice at the</p> <p>4 time?</p> <p>5 A. Yeah, I received it.</p> <p>6 Q. Did you make any calls to anyone after</p> <p>7 receiving that?</p> <p>8 A. If I'm not mistaken -- Again, I'm trying to</p> <p>9 recall, actually received calls from Spalding and</p> <p>10 Echeverria after this came out.</p> <p>11 Q. You believe you did receive calls after that</p> <p>12 came out?</p> <p>13 A. Yes.</p> <p>14 Q. Did you already speak of those calls in the</p> <p>15 deposition earlier?</p> <p>16 Let me ask you -- Let me just ask you:</p> <p>17 What were the calls about?</p> <p>18 A. They were -- They were upset that they were</p> <p>19 going out to the academy for retraining and to patrol</p> <p>20 and they wanted me to intervene and help them.</p> <p>21 Q. Did you indicate you would?</p> <p>22 A. Yes.</p> <p>23 Q. And what did you do to help them?</p> <p>24 MR. KING: Just object to -- to the extent that</p>

<p style="text-align: right;">Page 122</p> <p>1 this has already been asked and answered. And if it 2 hasn't I withdraw that. 3 BY THE WITNESS: 4 A. Again, I told them I was going to look into 5 it and make calls. I was positive I spoke to Scahill 6 and, eventually, I think I mentioned it earlier, I went 7 in to see Kirby sometime after. 8 BY MR. SMITH: 9 Q. I think you did. Okay. Thank you. 10 MR. SMITH: I will show I what we'll mark as 11 Rivera 7 now. 12 (Lieutenant Juan Rivera Exhibit 7 13 marked.) 14 BY MR. SMITH: 15 Q. Do you recognize the e-mail that we've marked 16 as Exhibit No. 7 for identification? 17 A. Yes. 18 Q. Do you see this is an exhibit, May 9, 2011 19 e-mail from Robert Klimas? 20 A. Correct. 21 Q. Is that what you're looking at? 22 A. Yes. 23 Q. Do you see that you're cc'd on it? 24 A. Yes.</p>	<p style="text-align: right;">Page 124</p> <p>1 (Lieutenant Juan Rivera Exhibit 8 2 marked.) 3 BY MR. KING: 4 Q. Do you recognize the e-mail that appears to 5 be an e-mail from Debra Kirby to Juan Rivera dated 6 May 12, 2011 regarding -- it indicates: 7 "Howard Spalding and Echeverria will not be 8 released for posttraining until I approve it. I will 9 be notified before anybody outside of the academy is 10 noticed. Thanks. Debra Kirby." 11 Do you recall receiving that e-mail? 12 A. Yes. 13 Q. Did you talk with Debra Kirby at all about 14 this e-mail or the content of it? 15 A. No. 16 MR. KING: Just object to the extent the response 17 calls for testimony that's already been given. 18 BY THE WITNESS: 19 A. No. Again, this e-mail was sent out by Kirby 20 after I went in and spoke to her and told her that we 21 should not allow the officers to be reassigned to 22 patrol and, therefore, she put a stop. 23 BY MR. SMITH: 24 Q. Anything further you recall about that?</p>
<p style="text-align: right;">Page 123</p> <p>1 Q. Do you recall receiving this? 2 A. Yeah, I recall the -- I recall the e-mail, 3 yes. 4 Q. Do you know if anyone did a written synopsis 5 of what the officers were trying to do? 6 A. You know, I -- I don't recall and I believe 7 the commander was asking for it, so the commander might 8 have knowledge of this, the synopsis. 9 Q. Do you know if anybody -- Do you know who was 10 supposed to do the written synopsis? 11 A. Again, I'm just assuming. It says "Tom." 12 I'm assuming it's Tom Chester. I'm not 100 percent 13 sure. 14 Q. Do you have any recollection of talking to 15 Robert Klimas concerning a written synopsis on or about 16 that time? 17 A. I don't recall. 18 Q. Do you have any idea why was Robert Klimas 19 was seeking a written synopsis at that time? 20 A. I would assume the Superintendent's office 21 had made the request. 22 MR. SMITH: Mark this was Exhibit No. 8 for 23 identification. 24</p>	<p style="text-align: right;">Page 125</p> <p>1 A. That's about it. 2 MR. SMITH: No. 9. Rivera No. 9 for 3 identification. 4 (Lieutenant Juan Rivera Exhibit 9 5 marked.) 6 BY MR. SMITH: 7 Q. Do you see that Exhibit No. 9 for 8 identification is an e-mail from Karen Konow dated 9 September 19, 2011. 10 A. Yes. 11 Q. To Robert Klimas, Juan Rivera and it reads: 12 "FYI, the next interview SIS will conduct in 13 the above case is PO Shannon Spalding. Let me know if 14 you need any additional info." 15 Do you see that? 16 A. Yes. 17 Q. Do you know what case this is -- Do you know 18 what case this is referring to? 19 A. No. I initiated two CRs. I'm not sure which 20 number this one is. I initiated one for 21 Shannon Spalding when she came in and made an issue of 22 Hernandez and Padar incident. And then I also 23 initiated -- I'm not sure -- I can't tell -- I don't 24 know what days -- But I was also contacted by her --</p>

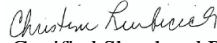
<p style="text-align: right;">Page 126</p> <p>1 now I understand it's actually her boyfriend, 2 Hernandez, months later asking me to initiate a number 3 for retaliation based on the first CR. So I'm not sure 4 which one this one is. I'd have to research and look 5 the number up. 6 Q. Just from my knowledge, what is "SIS"? 7 A. Special investigations. 8 Q. But this definitely dealt with something 9 related to the Hernandez-Padar incidents regardless of 10 which one or -- 11 It's not related to a CR directed at 12 Shannon Spalding? 13 A. She, I believe, is a witness. 14 MR. SMITH: No. 10. Mark that as Rivera No. 10 15 for identification. 16 (Lieutenant Juan Rivera Exhibit 10 17 marked.) 18 BY MR. SMITH: 19 Q. Do you recognize what's been marked as 20 Exhibit No. 10 for identification? 21 A. Yes. 22 Q. Do you see the it's from a Cynthia Curry do 23 you? 24 A. Uh-huh.</p>	<p style="text-align: right;">Page 128</p> <p>1 as Exhibit No. 11 for identification. 2 (Lieutenant Juan Rivera Exhibit 11 3 marked.) 4 BY MR. SMITH: 5 Q. Do you recognize this to be an e-mail from a 6 Robert Klimas as that you were cc'd on October 5, 2011? 7 A. Yes. 8 Q. It reads that a: 9 "FBI needs assistance from Shannon Spalding 10 and Echeverria this afternoon. If possible please have 11 them contact Sergeant Boehmer for further 12 instructions." 13 A. Yes. 14 Q. Do you have any idea what, in particular, 15 this was concerning? 16 A. It involved Brass Tacks. Obviously, the FBI 17 needed them, if I am not mistaken, to contact the 18 source. 19 MR. SMITH: I'm going to show you what we'll mark 20 as Rivera No. 12 for identification. 21 (Lieutenant Juan Rivera Exhibit 12 22 marked.) 23 BY MR. SMITH: 24 Q. I think, if I'm not mistaken, the first part</p>
<p style="text-align: right;">Page 127</p> <p>1 Q. On October 5, 2011? 2 A. Yes. 3 Q. And it reads that: 4 "Spalding a partner we're looking for you a 5 few minutes ago. If you need a ride and want Rick to 6 meet you downstairs, let's us know." 7 Do you know what -- Do you know if you spoke 8 to Shannon her partner after receiving this? 9 A. No, I don't recall if I did or not. 10 Q. Do you have any idea what this concerned? 11 A. No. Like I said, Spalding and Echeverria 12 would try to come on a regular basis to meet me and I 13 tried to discourage them, because they were doing it in 14 the open lobby. And then they started coming up to the 15 Internal Affairs front door which, again, I tried to 16 discourage. 17 Q. Do you know who Richard Pakula is? 18 A. He's a sergeant -- also an administrative 19 sergeant in Internal Affairs. 20 Q. Do you know why he would have been cc'd on 21 this memo? 22 A. He's administrative sergeant along with the 23 Cynthia Curry. 24 MR. SMITH: I'm going to show you what we'll mark</p>	<p style="text-align: right;">Page 129</p> <p>1 is -- I will ask you later. 2 But if you look down at the bottom half that 3 starts with, "Cynthia Curry," it appears to be 4 October 14, 2011 to and you were cc'd amongst along 5 with Klimas, Welsh, Stanley, Mahoney, Pakula and Clark 6 and it was to Judith Martin and a Renata Adamovitz, and 7 then it reads: 8 "The Bureau of Internal Affairs submits the 9 names indicated below as requested; PO George Flores, 10 PO Daniel Echeverria, PO Matthew Kerlin, 11 PO Bridgid Hixson and PO Shannon Spalding." 12 Do you know what this was about? 13 A. This personnel was being detailed to the 14 International Association of Chiefs of Police 15 Conference. 16 Q. What would that be for? 17 A. Just police presence at the conference. 18 Q. Do you know why certain officers are 19 requested for that? 20 A. No, they just -- When there's a need for 21 officers, the First Deputy's Office looks for personnel 22 and details them out. 23 Q. So is this like for security or something? 24 A. It's possible. I'm not sure exactly what</p>

<p style="text-align: right;">Page 130</p> <p>1 they were used for, but they're detailed out and that's</p> <p>2 their tour of duty. That's their assignment.</p> <p>3 Q. Okay. The top part of it, do you know if</p> <p>4 that had -- the one that's from Cynthia Curry to</p> <p>5 Judith Martin, do you know if that's just something</p> <p>6 related to this assignment be present at headquarters?</p> <p>7 A. It sounds as though -- Yeah. Rhodes is, I</p> <p>8 believe, a police officer in Internal Affairs that was</p> <p>9 also being detailed, but was being -- her -- her detail</p> <p>10 was being changed to work the command post.</p> <p>11 Q. Were you aware that Adrienne Stanley</p> <p>12 called -- called Spalding at an FBI meeting telling her</p> <p>13 she was going to Eddy Walsh to have her thrown out of</p> <p>14 the unit for going to the FBI?</p> <p>15 A. Who?</p> <p>16 MR. KING: Object to the form and lack of</p> <p>17 foundation.</p> <p>18 BY MR. SMITH:</p> <p>19 Q. Were you aware that -- Were you ever told</p> <p>20 that Adrienne Stanley called Spalding --</p> <p>21 Turning back to the October 5, 2011 memo from</p> <p>22 Klimas to Adrienne Stanley that reads:</p> <p>23 "The FBI needs assistance of PO Spalding and</p> <p>24 Echeverria this afternoon. Is it possible? Please</p>	<p style="text-align: right;">Page 132</p> <p>1 to document it on to-from.</p> <p>2 Q. In terms of -- Would you have expected</p> <p>3 Tom Chester to document it on to-from if he had been</p> <p>4 told by Adrienne Stanley that she was going to go to</p> <p>5 Eddy Walsh.</p> <p>6 A. No, I would have expected him to initiate a</p> <p>7 number if Sergeant Mills received a report from the</p> <p>8 officers.</p> <p>9 MR. KING: Was it Mills?</p> <p>10 BY MR. SMITH:</p> <p>11 Q. Tom Chester, not Mills.</p> <p>12 A. I'm sorry. Tom Chester.</p> <p>13 Q. I'm going to show you what we'll mark as</p> <p>14 Rivera No. 13 for identification.</p> <p>15 (Lieutenant Juan Rivera Exhibit 13</p> <p>16 marked.)</p> <p>17 BY MR. SMITH:</p> <p>18 Q. This appears to be an e-mail from -- it looks</p> <p>19 like it might have something to do with the detail of</p> <p>20 headquarters personnel, but it -- the second part is</p> <p>21 from Adamovitz to Cuello and yourself as one of about</p> <p>22 eight people named there, October 14, 2011, and it</p> <p>23 indicates that:</p> <p>24 "Attached, please comply with the attached</p>
<p style="text-align: right;">Page 131</p> <p>1 have them contact Sergeant Boehmer for further</p> <p>2 instructions."</p> <p>3 MR. KING: What exhibit is that?</p> <p>4 MR. SMITH: I think its --</p> <p>5 MR. KING: It's this one.</p> <p>6 MR. SMITH: Here I can hand you this. It's also</p> <p>7 DEFS00994 for identification.</p> <p>8 MR. KING: We have that. That's already marked as</p> <p>9 Exhibit 11.</p> <p>10 BY MR. SMITH:</p> <p>11 Q. Were you aware that after Spalding went to</p> <p>12 that meeting that Adrienne Stanley indicated that she</p> <p>13 was going to call Eddy Walsh to have her thrown out of</p> <p>14 the unit for going to the FBI?</p> <p>15 MR. KING: Objection to the lack of foundation.</p> <p>16 BY MR. SMITH:</p> <p>17 Q. Did Shannon and Danny ever tell you that?</p> <p>18 A. No.</p> <p>19 Q. Did Tom Chester ever tell you that?</p> <p>20 A. No.</p> <p>21 Q. Did Tom Chester ever tell you that Shannon or</p> <p>22 Danny told her that Adrienne Stanley was going to do</p> <p>23 that?</p> <p>24 A. No. And, again, I would expect the officers</p>	<p style="text-align: right;">Page 133</p> <p>1 directive."</p> <p>2 Do you know what attached directive this is</p> <p>3 referring to? And it looks like it might be that it</p> <p>4 had to do with the headquarters, but if you don't know,</p> <p>5 I mean, that's ...</p> <p>6 A. No, I would be speculating, but I don't know.</p> <p>7 MR. SMITH: I'm going to show you what we'll mark</p> <p>8 as 14 for identification. DEFS00999 on the bottom.</p> <p>9 (Lieutenant Juan Rivera Exhibit 14</p> <p>10 marked.)</p> <p>11 BY THE WITNESS:</p> <p>12 A. Yes.</p> <p>13 BY MR. SMITH:</p> <p>14 Q. I'm also going to hand you a DEFS00997 and</p> <p>15 998, because they may be related to that and I don't</p> <p>16 want you to not have information available to you.</p> <p>17 Do you see in the Exhibit 14 that it appears</p> <p>18 to be a note from originally from Alan Boehmer to</p> <p>19 Robert Klimas about Spalding, Echeverria saying that</p> <p>20 they need their services tomorrow to find the source</p> <p>21 and it's dated October 27, 2011?</p> <p>22 A. Yes.</p> <p>23 Q. It says:</p> <p>24 "We now have a phone for him."</p>

<p style="text-align: right;">Page 134</p> <p>1 Do you know what this was about?</p> <p>2 A. Other than they're directed by the FBI to</p> <p>3 find the source, because they were trying to work the</p> <p>4 investigation.</p> <p>5 Q. Okay. Thank you.</p> <p>6 MR. SMITH: I'm going to show you what we'll mark</p> <p>7 as 15.</p> <p>8 (Lieutenant Juan Rivera Exhibit 15</p> <p>9 marked.)</p> <p>10 BY MR. SMITH:</p> <p>11 Q. Do you recognize, this appears to be -- I</p> <p>12 have two e-mails, one from Adrienne Stanley to</p> <p>13 Cynthia Curry which your cc'd on and the second from</p> <p>14 Cynthia to Adrienne Stanley which your cc'd on. And</p> <p>15 the first one reads:</p> <p>16 "Hi Sgt., We have two people who currently do</p> <p>17 OPY, Sergeant Janice Barney, PO Jose Flores. I was</p> <p>18 having PO Shannon and Echeverria sign up for it, but</p> <p>19 they have been in the field for the last month."</p> <p>20 Do you recall receiving that e-mail?</p> <p>21 A. Um, I know I received it, but -- I mean --</p> <p>22 Q. Do you know what this concerns?</p> <p>23 A. Just from reading it, it's obvious that the</p> <p>24 commander wanted to utilize them for Operation Protect</p>	<p style="text-align: right;">Page 136</p> <p>1 would have knowledge of?</p> <p>2 A. No.</p> <p>3 MR. SMITH: Exhibit No. 16.</p> <p>4 (Lieutenant Juan Rivera Exhibit 16</p> <p>5 marked.)</p> <p>6 BY MR. SMITH:</p> <p>7 Q. Do you recognize Exhibit No. 16 to be an</p> <p>8 e-mail that you sent to Danny Echeverria on</p> <p>9 January 27, 2011?</p> <p>10 A. Yes.</p> <p>11 Q. And were you intending to inform</p> <p>12 Danny Echeverria of any positions that were available?</p> <p>13 A. Yes, and opportunities.</p> <p>14 Q. And what positions in particular were you</p> <p>15 trying to notify him about?</p> <p>16 A. The Fugitive Apprehension Unit that had just</p> <p>17 started.</p> <p>18 Q. Did you have any intent to notify him about</p> <p>19 the sergeant's applications or detective applications?</p> <p>20 A. Specific to the Fugitive.</p> <p>21 Q. Did you send anything to the Shannon Spalding</p> <p>22 about that?</p> <p>23 A. I don't believe so. I really don't recall,</p> <p>24 but I don't believe I did.</p>
<p style="text-align: right;">Page 135</p> <p>1 Youth.</p> <p>2 Q. And the second e-mail on this page appears to</p> <p>3 be Commander Stanley:</p> <p>4 "The Office of the First Deputy</p> <p>5 Superintendent is conducting an audit of members</p> <p>6 required to participate in Operation Project Youth for</p> <p>7 the calendar years 2012. Members of rank Sergeant or</p> <p>8 below in full duty status and assigned to the nonfield</p> <p>9 duties on the 2nd Watch are required to participate.</p> <p>10 Can you please provide me with the names of whoever</p> <p>11 this applies to in the Inspection Division. Our</p> <p>12 response is due no later than Thursday the</p> <p>13 8th of December, 2011."</p> <p>14 Do you recall receiving is that e-mail?</p> <p>15 A. I received it, yes.</p> <p>16 Q. Do you know if anyone had brought up these</p> <p>17 e-mails at the time that you were informed of the</p> <p>18 counseling review by Danny Echeverria?</p> <p>19 A. No.</p> <p>20 Q. Are you aware when somebody is and isn't</p> <p>21 eligible for OPY?</p> <p>22 A. I'm sorry. Repeat that.</p> <p>23 Q. Do you know when somebody is eligible for OPY</p> <p>24 and when one somebody isn't; is that something that you</p>	<p style="text-align: right;">Page 137</p> <p>1 Q. Did you intentionally not send Shannon one,</p> <p>2 or was it more so that you just thought Danny would</p> <p>3 pass the word on?</p> <p>4 A. Danny Echeverria was usually the one that</p> <p>5 would pass the word.</p> <p>6 MR. SMITH: Number 17 for identification.</p> <p>7 (Lieutenant Juan Rivera Exhibit 17</p> <p>8 marked.)</p> <p>9 BY MR. SMITH:</p> <p>10 Q. Do you recognize that?</p> <p>11 A. Yes.</p> <p>12 Q. Did you receive that or send that?</p> <p>13 Is that from Danny Echeverria to you?</p> <p>14 A. I believe that's his response.</p> <p>15 Q. Do you know what that response was regarding?</p> <p>16 A. Again, they were looking for positions in the</p> <p>17 FBI task force because of the overtime stipend, the</p> <p>18 overtime extra money and the vehicle, and I already had</p> <p>19 the conversation and I told them that wasn't up to me</p> <p>20 and I would present it to my superiors.</p> <p>21 Q. Did you present it to your superiors?</p> <p>22 A. Yes.</p> <p>23 Q. What superior?</p> <p>24 A. First Deputy Weisinger.</p>

<p style="text-align: right;">Page 138</p> <p>1 MR. SMITH: Let's take a two-minute break.</p> <p>2 (Recess taken.)</p> <p>3 BY MR. SMITH:</p> <p>4 Q. Just a question on Nick Roti.</p> <p>5 Is it fair to say that other than the</p> <p>6 Fugitive Apprehension Division, Nick Roti is in charge</p> <p>7 of every other task force within the department?</p> <p>8 A. I would be speculating. I'm not sure how</p> <p>9 many tasks forces the department has.</p> <p>10 Q. Do you know of any other task force other</p> <p>11 than Fugitive Apprehensions that Nick Roti is not in</p> <p>12 charge of?</p> <p>13 A. I have one.</p> <p>14 Q. What would that be?</p> <p>15 A. Internal Affairs.</p> <p>16 Q. Other than Internal Affairs?</p> <p>17 A. Again, I -- Speculating, no.</p> <p>18 Q. But other than Internal Affairs, are you</p> <p>19 aware of any others, personally?</p> <p>20 A. I don't have that knowledge.</p> <p>21 Q. Did you think back at the time that Shannon</p> <p>22 and Danny were asking to be assigned or not to be in</p> <p>23 Fugitive Apprehensions or not to be in training or not</p> <p>24 to be in investigations, were you aware of any task</p>	<p style="text-align: right;">Page 140</p> <p>1 police vehicle on a day off and in uniform going and</p> <p>2 making an arrest and then taking a backpack that the</p> <p>3 FBI was aware contained \$8,600?</p> <p>4 A. Again, I'm sure I was briefed, but I don't</p> <p>5 recall the facts.</p> <p>6 Q. Do you know why after that operation or</p> <p>7 surveillance of Ronald Watts was left on the streets --</p> <p>8 I mean, in his position as a Chicago police officer?</p> <p>9 A. Again, that's something that I wouldn't know.</p> <p>10 That's -- The FBI was the lead investigative agency and</p> <p>11 US Attorney's Office was prosecuting.</p> <p>12 Q. When Brass Tacks was postponed for that</p> <p>13 period, was there any discussion on your part with any</p> <p>14 supervisors to take Ronald Watts off the force or to</p> <p>15 strip him of his badge and gun?</p> <p>16 MR. KING: Object to the form and use of the term</p> <p>17 "postpone."</p> <p>18 BY MR. SMITH:</p> <p>19 Q. The periods in which Brass Tacks -- When</p> <p>20 Shannon and Danny Echeverria were removed from</p> <p>21 brass Tacks, during that period, was there any</p> <p>22 discussion about taking Ronald Watts off of active duty</p> <p>23 in the Chicago Police Department?</p> <p>24 A. I don't recall any conversations to that</p>
<p style="text-align: right;">Page 139</p> <p>1 force other than Fugitive Apprehension and IAD that</p> <p>2 were available that were not supervised by Nick Roti?</p> <p>3 MR. KING: Objecting to the form. Compound.</p> <p>4 Misstates evidence in the record.</p> <p>5 BY THE WITNESS:</p> <p>6 A. Again, I'm not familiar enough with all the</p> <p>7 other bureaus. I wouldn't be able to give you an</p> <p>8 answer.</p> <p>9 BY MR. SMITH:</p> <p>10 Q. Now, how often during Operation Brass Tacks</p> <p>11 would the FBI update you either directly or through</p> <p>12 Tom Chester about what was going on?</p> <p>13 A. Again, it varied. Depending on what's taking</p> <p>14 place with the investigation.</p> <p>15 Q. Were you aware or did you become aware that</p> <p>16 that there was a surveillance back -- in March of 2010</p> <p>17 that there was a surveillance done where Ronald Watts</p> <p>18 was seen stealing approximately \$8,600 in a backpack in</p> <p>19 the area of 11 West 26th Street, Chicago, Illinois?</p> <p>20 A. Again, I was aware. I don't have -- You're</p> <p>21 giving me details that I don't have. I was aware that</p> <p>22 there was an attempt or there was a sting operation</p> <p>23 conducted against him.</p> <p>24 Q. And were you aware that he was seen driving a</p>	<p style="text-align: right;">Page 141</p> <p>1 effect. Again, I would have to refer back to the fact</p> <p>2 that the FBI was the lead investigative agency and</p> <p>3 US Attorney was the prosecutor. It was their</p> <p>4 investigation.</p> <p>5 Q. During your briefings, were you aware that</p> <p>6 several team members of Ronald Watts through the years</p> <p>7 had been suspected of being part of Watts' team that</p> <p>8 was extorting drug dealers?</p> <p>9 A. Again, I wouldn't have detailed information</p> <p>10 on that. That's something, again, that the FBI is the</p> <p>11 lead investigative agency and the US Attorney is the</p> <p>12 prosecutor, they would, obviously, have that</p> <p>13 information.</p> <p>14 Q. Were you given the names of active police</p> <p>15 officers including current police officers in addition</p> <p>16 to Ronald Watts and Kallatt Mohamad?</p> <p>17 A. I personally was not given any names, but</p> <p>18 again, the FBI was the lead investigative agency.</p> <p>19 Q. Don't you, as IAD chief, have authority to</p> <p>20 remove a sworn member from the department even if the</p> <p>21 FBI is the lead?</p> <p>22 A. Do not have the authority. I would have to</p> <p>23 seek approval from the superintendent.</p> <p>24 Q. And the superintendent could do that?</p>

<p style="text-align: right;">Page 142</p> <p>1 A. Yes.</p> <p>2 Q. Were you ever given the name Alvin Jones by</p> <p>3 the FBI?</p> <p>4 A. By the FBI, no. I don't recall the name.</p> <p>5 Q. Anyone in connection with Brass Tacks ever</p> <p>6 tell you about Alvin Jones being involved with</p> <p>7 Ronald Watts?</p> <p>8 A. Again, I don't recall, so ...</p> <p>9 Q. Robert Gonzalez?</p> <p>10 A. Again, I don't recall.</p> <p>11 Q. Doreen Smith?</p> <p>12 A. Again, I don't recall that name.</p> <p>13 Q. Brian Bolton?</p> <p>14 A. Again, I don't recall.</p> <p>15 Q. You don't recall any of the names they</p> <p>16 provided?</p> <p>17 A. Again, you're saying "provided."</p> <p>18 Q. Or gave information about?</p> <p>19 MR. KING: Object to the form of the question.</p> <p>20 There's been no testimony that any of those</p> <p>21 names were given to Chief Rivera.</p> <p>22 BY MR. SMITH:</p> <p>23 Q. Did you ever get any other names besides</p> <p>24 Watts and Mohamad? I mean Sergeant Watts and Mohamad?</p>	<p style="text-align: right;">Page 144</p> <p>1 Q. With regards to Sergeant Watts?</p> <p>2 A. Again, I don't recall CRs coming through at</p> <p>3 the time, so I can't answer that.</p> <p>4 Q. Did IAD conduct its own investigation at all</p> <p>5 of officers in relation to Operation Brass Tacks or</p> <p>6 Ronald Watts in addition to the FBI?</p> <p>7 A. Again, it was a joint investigation with the</p> <p>8 FBI as the lead investigative agency and US Attorney as</p> <p>9 the prosecutor. We assisted.</p> <p>10 Q. Will IAD make any attempts to obtain FBI</p> <p>11 information now that the Watts investigation and</p> <p>12 Mohammed investigation resulted in convictions to see</p> <p>13 what other information existed against other officers?</p> <p>14 MR. KING: Objection. Calls for speculation and</p> <p>15 certainly irrelevant.</p> <p>16 BY THE WITNESS:</p> <p>17 A. That was a question that was posed to the FBI</p> <p>18 and US Attorney's office and they basically stated</p> <p>19 there were no additional targets.</p> <p>20 BY MR. SMITH:</p> <p>21 Q. Who was that that made --</p> <p>22 A. I would have to -- I would have to refer to</p> <p>23 Commander Klimas that had a conversation, I believe,</p> <p>24 with Boehmer.</p>
<p style="text-align: right;">Page 143</p> <p>1 A. Again, when I was involved the targets were</p> <p>2 Watts and Mohamad.</p> <p>3 Q. In terms of that were suspects at least, were</p> <p>4 you given any other names?</p> <p>5 A. Again, I would have to defer to the FBI.</p> <p>6 They had the lead on the investigation.</p> <p>7 Q. But did they ever apprise you of any other</p> <p>8 officers that were suspected for being involved?</p> <p>9 A. I'm sure if they suspected them they would</p> <p>10 have targeted them. I would have been aware of it.</p> <p>11 Q. Did you produce any CRs to the FBI of</p> <p>12 instances where Watts had previously been accused of</p> <p>13 committing crimes, such as extortion, from drug</p> <p>14 dealers?</p> <p>15 A. Me personally, no.</p> <p>16 Q. Do you know if they were given to the FBI?</p> <p>17 A. Again, this operation was already ongoing</p> <p>18 when I arrived there, so I would not ...</p> <p>19 (Simultaneous speaking.)</p> <p>20 BY MR. SMITH:</p> <p>21 Q. Did you inform anyone in the FBI of the CR or</p> <p>22 CRs that came across your desk while you were working</p> <p>23 in IAD back in 2004, 2006?</p> <p>24 A. With regards to?</p>	<p style="text-align: right;">Page 145</p> <p>1 Q. Were you present for the conversation?</p> <p>2 A. I'm not sure if I was present for that</p> <p>3 conversation. I know that information was relayed back</p> <p>4 to me.</p> <p>5 Q. By?</p> <p>6 A. Commander Klimas.</p> <p>7 Q. As a boss in IAD, were you aware of any</p> <p>8 criminal allegations against Watts or Mohammed separate</p> <p>9 from the Brass Tacks investigation?</p> <p>10 A. This all -- Obviously, this investigation</p> <p>11 stemmed from information that I was made aware of back</p> <p>12 in '04. So is it was open investigation then.</p> <p>13 Q. What happened with the separate</p> <p>14 investigation?</p> <p>15 A. Again, it wasn't a separate investigation.</p> <p>16 It's related to the same investigation that was opened</p> <p>17 up in 2004 when I was there.</p> <p>18 Q. Were any findings made on any of the other --</p> <p>19 any of the CRs that existed?</p> <p>20 MR. KING: Object to the form. Lack of</p> <p>21 foundation.</p> <p>22 BY THE WITNESS:</p> <p>23 A. Again, I couldn't answer that. I wouldn't be</p> <p>24 able to answer that.</p>

<p style="text-align: right;">Page 146</p> <p>1 MR. SMITH: I think we're almost done.</p> <p>2 BY MR. SMITH:</p> <p>3 Q. Do you know who Lieutenant Pigott is by any</p> <p>4 chance?</p> <p>5 A. I know of him, yes.</p> <p>6 Q. Did you ever talk to a Lieutenant Pigott</p> <p>7 about Danny and Shannon being at the academy?</p> <p>8 A. I don't recall if I did or not.</p> <p>9 Q. With respect to any other -- any CRs relating</p> <p>10 to Watts and Mohamad, are you aware of any action that</p> <p>11 was taken against either Watts or Mohamad in any of the</p> <p>12 CRs?</p> <p>13 MR. KING: Again, object to the form and lack of</p> <p>14 foundation.</p> <p>15 BY THE WITNESS:</p> <p>16 A. Like I said, I wouldn't have any knowledge of</p> <p>17 that.</p> <p>18 BY MR. SMITH:</p> <p>19 Q. Was there any discussion with IAD or with any</p> <p>20 supervisors that, we're not going to take action so</p> <p>21 that it doesn't interfere with the investigation?</p> <p>22 A. It was no --</p> <p>23 MR. KING: Same objection.</p> <p>24</p>	<p style="text-align: right;">Page 148</p> <p>1 STATE OF ILLINOIS)</p> <p style="text-align: center;">) SS:</p> <p>2 COUNTY OF C O O K)</p> <p>3</p> <p>4 I, CHRISTINE LIUBICICH, a Certified Shorthand</p> <p>5 Reporter within and for the State of Illinois, do</p> <p>6 hereby certify:</p> <p>7</p> <p>8 That previous to the commencement of the</p> <p>9 examination of the witness, the witness was duly sworn</p> <p>10 to testify the whole truth concerning the matters</p> <p>11 herein;</p> <p>12</p> <p>13 That the foregoing deposition was reported</p> <p>14 stenographically by me, was thereafter reduced to a</p> <p>15 printed transcript by me, and constitutes a true record</p> <p>16 of the testimony given and the proceedings had;</p> <p>17</p> <p>18 That the said deposition was taken before me</p> <p>19 at the time and place specified;</p> <p>20</p> <p>21 That the reading and signing by the witness</p> <p>22 of the deposition transcript was agreed upon as stated</p> <p>23 herein;</p> <p>24</p>
<p style="text-align: right;">Page 147</p> <p>1 BY THE WITNESS:</p> <p>2 A. There was no such conversation that I was</p> <p>3 involved in.</p> <p>4 MR. SMITH: I'm going to put an end to it unless</p> <p>5 there is a --</p> <p>6 SHANNON SPAULDING: Okay. No.</p> <p>7 MR. SMITH: No more questions.</p> <p>8 MR. KING: We don't have any, either.</p> <p>9 We'll reserve signature.</p> <p>10 THE COURT REPORTER: Are you ordering?</p> <p>11 MR. SMITH: Yes.</p> <p>12 THE COURT REPORTER: What would you like?</p> <p>13 MR. SMITH: Mini electric.</p> <p>14 MR. KING: I'll take a copy, regular and mini</p> <p>15 electronic.</p> <p>16 (Proceedings concluded at</p> <p>17 5:09 p.m.)</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 149</p> <p>1 That I am not a relative or employee or</p> <p>2 attorney or counsel, nor a relative or employee of such</p> <p>3 attorney or counsel for any of the parties hereto, nor</p> <p>4 interested directly or indirectly in the outcome of</p> <p>5 this action.</p> <p>6</p> <p>7 IN WITNESS WHEREOF, I do hereunto set my hand</p> <p>8 at Chicago, Illinois, this 22nd day of December, 2014.</p> <p>9</p> <p>10</p> <p>11  Certified Shorthand Reporter State of Illinois</p> <p>12</p> <p>13</p> <p>14 CSR License No. 084-004594.</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

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<p>1 DEPOSITION REVIEW CERTIFICATION OF WITNESS</p> <p>2</p> <p>3 ASSIGNMENT NO: 1975323</p> <p>4 CASE NAME: Spalding, Shannon v. City Of Chicago</p> <p>5 DATE OF DEPOSITION: 12/4/2014</p> <p>6 WITNESS' NAME: Lieutenant Juan Rivera</p> <p>7 In accordance with the Rules of Civil Procedure, I have read the entire transcript of my testimony or it has been read to me.</p> <p>8 I have made no changes to the testimony as transcribed by the court reporter.</p> <p>9 _____</p> <p>10 Date Lieutenant Juan Rivera</p> <p>11 Sworn to and subscribed before me, a Notary Public in and for the State and County, the referenced witness did personally appear and acknowledge that:</p> <p>12 They have read the transcript;</p> <p>13 They signed the foregoing Sworn Statement; and</p> <p>14 Their execution of this Statement is of their free act and deed.</p> <p>15 I have affixed my name and official seal</p> <p>16 this _____ day of _____, 20____.</p> <p>17 _____</p> <p>18 Notary Public</p> <p>19 _____</p> <p>20 Commission Expiration Date</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 ERRATA SHEET</p> <p>2 VERITEXT LEGAL SOLUTIONS MIDWEST</p> <p>3 ASSIGNMENT NO: 1975323</p> <p>4 PAGE/LINE(S) / CHANGE /REASON</p> <p>5 _____</p> <p>6 _____</p> <p>7 _____</p> <p>8 _____</p> <p>9 _____</p> <p>10 _____</p> <p>11 _____</p> <p>12 _____</p> <p>13 _____</p> <p>14 _____</p> <p>15 _____</p> <p>16 _____</p> <p>17 _____</p> <p>18 _____</p> <p>19 _____</p> <p>20 _____</p> <p>21 Date Lieutenant Juan Rivera</p> <p>22 SUBSCRIBED AND SWORN TO BEFORE ME THIS _____</p> <p>23 DAY OF _____, 20____.</p> <p>24 _____</p> <p>25 Notary Public</p> <p>_____</p> <p>Commission Expiration Date</p>
<p>Page 151</p> <p>1 DEPOSITION REVIEW CERTIFICATION OF WITNESS</p> <p>2</p> <p>3 ASSIGNMENT NO: 1975323</p> <p>4 CASE NAME: Spalding, Shannon v. City Of Chicago</p> <p>5 DATE OF DEPOSITION: 12/4/2014</p> <p>6 WITNESS' NAME: Lieutenant Juan Rivera</p> <p>7 In accordance with the Rules of Civil Procedure, I have read the entire transcript of my testimony or it has been read to me.</p> <p>8 I have listed my changes on the attached Errata Sheet, listing page and line numbers as well as the reason(s) for the change(s).</p> <p>9 I request that these changes be entered as part of the record of my testimony.</p> <p>10</p> <p>11 I have executed the Errata Sheet, as well as this Certificate, and request and authorize that both be appended to the transcript of my testimony and be incorporated therein.</p> <p>12 _____</p> <p>13 Date Lieutenant Juan Rivera</p> <p>14</p> <p>15 Sworn to and subscribed before me, a Notary Public in and for the State and County, the referenced witness did personally appear and acknowledge that:</p> <p>16 They have read the transcript;</p> <p>17 They have listed all of their corrections in the appended Errata Sheet;</p> <p>18 They signed the foregoing Sworn Statement; and</p> <p>19 Their execution of this Statement is of their free act and deed.</p> <p>20 I have affixed my name and official seal</p> <p>21 this _____ day of _____, 20____.</p> <p>22 _____</p> <p>23 Notary Public</p> <p>24 _____</p> <p>25 Commission Expiration Date</p>	

Exhibit K

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Chicago Police Officer SHANNON SPALDING,)	
Chicago Police Officer DANIEL ECHEVERRIA,)	Case No. 12-cv-8777
)	
Plaintiffs,)	Judge Gary Feinerman
)	Magistrate Judge Shelia Finnegan
v.)	
)	
CITY OF CHICAGO, <i>et al.</i> ,)	
)	
Defendants.)	

DECLARATION OF JAMES O'GRADY

I, James O'Grady, declare under penalty of perjury that this statement is true and correct.

1. I was employed with the Chicago Police Department ("CPD") from 1986 until 2013. In or about 1997, I applied for and was assigned to the Internal Affairs Division where I worked undercover on police impersonators and police corruption cases. After several years in various CPD positions, in or about August 2008 I became the Commander of the Narcotics Division, Bureau of Organized Crime. I stayed in that role until October of 2013, when I was assigned to Commander of 11th District. I retired from CPD in December 2013.

2. Prior to November 2012 when Plaintiffs Shannon Spalding and Daniel Echeverria (collectively, "Plaintiffs") filed their federal lawsuit and their lawsuit was discussed in the media, I had no knowledge that either Plaintiff went to the FBI and reported any alleged criminal misconduct or corruption by Sergeant Ronald Watts ("Watts"), Sergeant Kallat Mohammad ("Mohammad") or any other Chicago Police officer.

3. Prior to November 2012 when Plaintiffs filed their federal lawsuit and their lawsuit was discussed in the media, I also had no knowledge that either Plaintiff reported or disclosed information to the FBI, to any government or law enforcement agency or to anyone

within CPD that Watts, Mohammad or any other Chicago Police officer violated any state or federal law, rule, or regulation.

4. I never made any statements to or about Plaintiffs or took any action against or relating to Plaintiffs based on any reports they may have made to the FBI of alleged criminal misconduct or corruption by Watts, Mohammad or any other Chicago Police officer.

5. I never made any statements to or about Plaintiffs or took any action against or relating to Plaintiffs based on the fact that Plaintiffs may have disclosed information to the FBI, to any government or law enforcement agency or to anyone within CPD that Watts, Mohammad or any other Chicago Police officer violated any state or federal law, rule, or regulation.

6. I never spoke to anyone in the Fugitive Apprehension Unit about Plaintiffs prior to Plaintiffs' joining the Fugitive Apprehension Unit in or about March 2012.



James O'Grady

Executed on February 3, 2016

Exhibit L

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Chicago Police Officer SHANNON
SPALDING and Chicago Police Officer
DANIEL ECHEVERRIA,
Plaintiffs,

vs. No. 12 C 8777

CITY OF CHICAGO, et al.,
Defendants.

/

The discovery deposition of
SERGEANT MAURICE BARNES, taken in the above-entitled
case, on the 25th day of February, 2015, at 10:10
o'clock a.m. at the offices of Christopher Smith Trial
Group, One North LaSalle Street, Suite 3040, Chicago,
Illinois, pursuant to agreement of counsel.

Reported by: Karyn H. Chalem, RPR, CSR
License No.: 084-004167

<p style="text-align: right;">Page 2</p> <p>1 A P P E A R A N C E S</p> <p>2 CHRISTOPHER SMITH TRIAL GROUP</p> <p>3 One North LaSalle Street</p> <p>4 Suite 3040</p> <p>5 Chicago, Illinois 60602</p> <p>6 BY: CHRISTOPHER SMITH</p> <p>7 ANNA SZYMCAK</p> <p>8 (312) 432-0400</p> <p>9 chris@lawsja.com</p> <p>10 On behalf of the Plaintiffs;</p> <p>11 DRINKER BIDDLE & REATH</p> <p>12 191 North Wacker Drive</p> <p>13 Suite 3700</p> <p>14 Chicago, Illinois 60606</p> <p>15 BY: ALAN S. KING</p> <p>16 (312) 569-1334</p> <p>17 alan.king@dbr.com</p> <p>18 On behalf of the Defendants.</p> <p>19</p> <p>20 Also Present:</p> <p>21 SHANNON SPALDING</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 4</p> <p>1 (Witness sworn.)</p> <p>2 SERGEANT MAURICE BARNES,</p> <p>3 called as a witness herein, having been first duly</p> <p>4 sworn, was examined and testified as follows:</p> <p>5 THE WITNESS: I do.</p> <p>6 EXAMINATION</p> <p>7 BY MR. SMITH:</p> <p>8 Q. Can you please state your name for the</p> <p>9 record.</p> <p>10 A. Maurice Barnes.</p> <p>11 Q. And will you spell your name.</p> <p>12 A. M-A-U-R-I-C-E, B-A-R-N-E-S.</p> <p>13 Q. Thank you.</p> <p>14 How are you currently employed?</p> <p>15 A. City of Chicago Police Department.</p> <p>16 Q. And what is your unit of assignment and</p> <p>17 detail at this time?</p> <p>18 A. It's central investigations section, fugitive</p> <p>19 apprehension unit.</p> <p>20 Q. And how long have you been with the fugitive</p> <p>21 apprehension unit?</p> <p>22 A. Close to seven years.</p> <p>23 Q. When were you hired by the Chicago Police</p> <p>24 Department?</p>
<p style="text-align: right;">Page 3</p> <p>1 I N D E X</p> <p>2 WITNESS: PAGE:</p> <p>3 SERGEANT MAURICE BARNES</p> <p>4 Examination by Mr. Smith 4</p> <p>5</p> <p>6 EXHIBITS:</p> <p>7</p> <p>8 (NO EXHIBITS MARKED.)</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 5</p> <p>1 A. 11 August 1986.</p> <p>2 Q. And can you give me a history of your</p> <p>3 assignments.</p> <p>4 A. I trained in the 23rd District for my field</p> <p>5 service training. I was then transferred to the</p> <p>6 17th District for about a year. Then I was in the</p> <p>7 11th District for about four-and-a-half years. Then</p> <p>8 I was in narcotics for close to 14 years, but during</p> <p>9 my time in narcotics, I was detailed to a state's</p> <p>10 attorneys task force and I was also detailed to the</p> <p>11 FBI's joint terrorism task force.</p> <p>12 Q. And --</p> <p>13 A. Then --</p> <p>14 Q. Go ahead.</p> <p>15 A. Then I was promoted to sergeant in 2006 and</p> <p>16 assigned back to the 11th District as a sergeant.</p> <p>17 Q. How were you assigned to the FBI task force</p> <p>18 or work along with the FBI, how did that come</p> <p>19 about?</p> <p>20 A. They have Chicago police officers assigned to</p> <p>21 different task forces within the city, like the FBI,</p> <p>22 DEA, things of that nature, and they just randomly</p> <p>23 picked from the higher-ups. Superintendent, or</p> <p>24 whoever picks -- makes these assignments, picks you,</p>

<p style="text-align: right;">Page 6</p> <p>1 and then they get assigned to those units.</p> <p>2 Q. Were you in any way investigating fellow</p> <p>3 Chicago police officers while you were working with</p> <p>4 the FBI?</p> <p>5 A. No.</p> <p>6 Q. Are you deputized as a U.S. Marshal?</p> <p>7 A. Yes.</p> <p>8 Q. How did you become deputized as a U.S.</p> <p>9 Marshal while working with the CPD?</p> <p>10 A. I think -- well, I think all supervisors that</p> <p>11 are currently assigned to that unit are deputized.</p> <p>12 So being a sergeant and assigned over there, that's</p> <p>13 pretty much how I got deputized.</p> <p>14 Q. So it is your understanding that the</p> <p>15 supervisors are automatically deputized if they're</p> <p>16 in that unit?</p> <p>17 A. I don't know if it's automatically. I mean,</p> <p>18 you have to go through whatever background checks to</p> <p>19 see if you're deemed appropriate to be deputized,</p> <p>20 so...</p> <p>21 Q. And who pays your salary, the U.S. Marshals</p> <p>22 or Chicago Police Department?</p> <p>23 A. Chicago Police Department.</p> <p>24 Q. And do you know who pays overtime?</p>	<p style="text-align: right;">Page 8</p> <p>1 Q. Do you have a special phone?</p> <p>2 A. Oh, yeah, a phone.</p> <p>3 Q. Anything else?</p> <p>4 A. That's pretty much it.</p> <p>5 Q. In your opinion, is the fugitive</p> <p>6 apprehension unit considered a desirable,</p> <p>7 specialized unit within the CPD?</p> <p>8 A. It's one of many. There are other units</p> <p>9 within the department. It all depends on who you</p> <p>10 are and how you see "specialized" and...</p> <p>11 Q. What other units have you heard are</p> <p>12 considered desirable, specialized units in the --</p> <p>13 A. Anything out of patrol to me would be</p> <p>14 specialized, so...</p> <p>15 Q. Is there any other units that you consider</p> <p>16 to be particularly desirable within the CPD?</p> <p>17 A. No. No.</p> <p>18 Q. Now, in terms of officers who are not</p> <p>19 deputized within the fugitive apprehension</p> <p>20 division, they do not get take-home vehicles, is</p> <p>21 that correct?</p> <p>22 A. That's correct.</p> <p>23 Q. And it is true that overtime may be</p> <p>24 available to somebody who's deputized, both with</p>
<p style="text-align: right;">Page 7</p> <p>1 A. The U.S. Marshals pay a stipend to each</p> <p>2 person who is deputized.</p> <p>3 Q. And how much is that stipend?</p> <p>4 A. I'm not sure right now. They budgeted for,</p> <p>5 you know, different amounts, so I don't have the</p> <p>6 paperwork on that. I think the marshals keep a</p> <p>7 record of that.</p> <p>8 Q. And would that be for officers who aren't</p> <p>9 ranked beyond patrol officers, who are also U.S.</p> <p>10 Marshals, they would receive a stipend?</p> <p>11 A. Yes.</p> <p>12 Q. In other words, it's not just the</p> <p>13 supervisors --</p> <p>14 A. Right.</p> <p>15 Q. -- who receive a stipend?</p> <p>16 A. Right.</p> <p>17 Q. And do you have a take-home vehicle?</p> <p>18 A. Yes.</p> <p>19 Q. And is that provided through the Chicago</p> <p>20 Police Department or the U.S. Marshals?</p> <p>21 A. U.S. Marshals.</p> <p>22 Q. And do you get any other special equipment</p> <p>23 because you're a U.S. Marshal?</p> <p>24 A. Radios. What else?</p>	<p style="text-align: right;">Page 9</p> <p>1 the CPD and the U.S. Marshals, that is not</p> <p>2 available to officers who are not deputized as U.S.</p> <p>3 Marshals. Is that fair to say?</p> <p>4 A. Repeat that for me. I'm trying to...</p> <p>5 Q. Is there certain overtime that somebody</p> <p>6 who's been deputized as a U.S. Marshal while also a</p> <p>7 CPD may be eligible for that other officers who are</p> <p>8 not deputized are not eligible for?</p> <p>9 A. The overtime that the officers that are</p> <p>10 deputized, that's through that stipend that I</p> <p>11 mentioned earlier.</p> <p>12 Q. Do POs -- do the police officers in the</p> <p>13 fugitive apprehension unit get take-home vehicles?</p> <p>14 A. Police, they're not -- if they're not</p> <p>15 deputized, no.</p> <p>16 Q. Do you know if Danny Echeverria was</p> <p>17 deputized?</p> <p>18 A. No.</p> <p>19 Q. Do you know if he ever had a take-home</p> <p>20 vehicle while he was in the fugitive apprehension</p> <p>21 unit?</p> <p>22 A. Not to my knowledge.</p> <p>23 Q. Have you ever been deposed before?</p> <p>24 A. Yes.</p>

<p style="text-align: right;">Page 10</p> <p>1 Q. How many times have you been deposed?</p> <p>2 A. Twice.</p> <p>3 Q. And were either of those in connection with</p> <p>4 lawsuits against yourself related to a Chicago</p> <p>5 police officer activity?</p> <p>6 A. No.</p> <p>7 Q. Were either of those cases involving</p> <p>8 incidents concerning Chicago police officer</p> <p>9 activity?</p> <p>10 A. No.</p> <p>11 Q. Were these personal -- involved matters</p> <p>12 where you were a personal defendant or plaintiff in</p> <p>13 a lawsuit?</p> <p>14 A. Yes.</p> <p>15 Q. Defendant or plaintiff or both?</p> <p>16 A. Both.</p> <p>17 Q. In terms of the -- if it's a personal</p> <p>18 situation, I'm not going to get too far into it,</p> <p>19 but what type of case was it that was where you</p> <p>20 were a defendant?</p> <p>21 A. Divorce.</p> <p>22 Q. Okay. And in terms of as a plaintiff, was</p> <p>23 it against the City of Chicago?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 12</p> <p>1 believe so.</p> <p>2 Q. Okay. In terms of have you ever been</p> <p>3 disciplined in connection with your job at the</p> <p>4 Chicago Police Department?</p> <p>5 A. No.</p> <p>6 Q. Have you ever received any written types</p> <p>7 of -- types of reprimands?</p> <p>8 A. Probably. Years ago. None that I can</p> <p>9 recall, though.</p> <p>10 Q. Okay. Are you aware of any complaint</p> <p>11 registers against you?</p> <p>12 A. Years ago that probably aren't even on record</p> <p>13 anymore.</p> <p>14 Q. How many would you say you've had?</p> <p>15 A. Against me personally? Probably two in 28</p> <p>16 years.</p> <p>17 Q. Do you know if any of them involved any type</p> <p>18 of harassment?</p> <p>19 A. No.</p> <p>20 Q. In terms of were any of them made by fellow</p> <p>21 officers?</p> <p>22 A. No.</p> <p>23 Q. Do you know if you've ever been accused of</p> <p>24 any type of sexual harassment?</p>
<p style="text-align: right;">Page 11</p> <p>1 Q. Okay. And was it against the Chicago Police</p> <p>2 Department in particular?</p> <p>3 A. Yes.</p> <p>4 Q. Was it related to employment fairness?</p> <p>5 A. No.</p> <p>6 Q. Can you tell me what type of --</p> <p>7 A. It was a shooting, police-involved shooting.</p> <p>8 Q. And you were suing the Chicago Police</p> <p>9 Department?</p> <p>10 A. I'm sorry, I've probably mistaken one of your</p> <p>11 questions. I was -- me and my partner were being</p> <p>12 sued because of a shooting. I'm sorry.</p> <p>13 Q. And what time frame was this?</p> <p>14 A. This is about almost 20 years ago.</p> <p>15 Q. Do you recall what the results of the</p> <p>16 lawsuit were?</p> <p>17 A. It was found in our favor.</p> <p>18 Q. Okay. So you actually had a trial?</p> <p>19 A. No trial. It was just found in our favor. I</p> <p>20 guess the other party's -- I guess their attorney</p> <p>21 was like it was a good shooting, so we weren't held</p> <p>22 liable for anything.</p> <p>23 Q. So you think the case was dismissed?</p> <p>24 A. I believe so. Don't quote me on it, but I</p>	<p style="text-align: right;">Page 13</p> <p>1 A. No.</p> <p>2 Q. In terms of your responsibilities as a</p> <p>3 sergeant in the fugitive apprehension unit, what</p> <p>4 are your -- do you have a team, first of all?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. And how many members, sworn police</p> <p>7 officers, are on this team?</p> <p>8 A. Typically ten.</p> <p>9 Q. Okay. And how many of those ten are</p> <p>10 deputized?</p> <p>11 A. On my current team right now, five.</p> <p>12 Q. So five members of your team are not</p> <p>13 deputized --</p> <p>14 A. Yes.</p> <p>15 Q. -- on your current team?</p> <p>16 A. That's correct.</p> <p>17 Q. Okay. Is that -- do you know if back in,</p> <p>18 say, 2012, did you have a team back then?</p> <p>19 A. Yes.</p> <p>20 Q. How many members would have, approximately,</p> <p>21 would have been on the team back then?</p> <p>22 A. I think at the time, I think I had eight, I</p> <p>23 think. I would have to check my records and see.</p> <p>24 Q. And at one point in time, Danny and Shannon,</p>

4 (Pages 10 - 13)

<p style="text-align: right;">Page 14</p> <p>1 the plaintiffs in this lawsuit, were assigned to</p> <p>2 your team, correct?</p> <p>3 A. That's correct.</p> <p>4 Q. How many of the team members back at that</p> <p>5 time were deputized and how many weren't?</p> <p>6 A. I want to say there was five or six. I'm</p> <p>7 just trying to remember the names right now.</p> <p>8 Q. Five or six that were deputized?</p> <p>9 A. Were deputized, right.</p> <p>10 Q. Other than Danny or Shannon, did you know of</p> <p>11 anyone who was not deputized that were part of the</p> <p>12 team when they were?</p> <p>13 A. I'd have to look at the roster itself to</p> <p>14 actually, you know, recall that.</p> <p>15 Q. As you sit here today, does anyone come to</p> <p>16 mind who was not deputized when Danny and Shannon</p> <p>17 were part of your team?</p> <p>18 A. I really can't recall if -- I can't think of</p> <p>19 anyone else who was not at that time. I'd have to</p> <p>20 look at the roster, though.</p> <p>21 Q. And you're aware that Danny and Shannon were</p> <p>22 not deputized?</p> <p>23 A. Yes, definitely.</p> <p>24 Q. Did you personally do anything to attempt to</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. Did you tell them about -- if there was any</p> <p>2 type of applications that they needed to fill out</p> <p>3 or...</p> <p>4 A. No.</p> <p>5 Q. Do you know if there were any types of</p> <p>6 applications that they would need to fill out?</p> <p>7 A. If they got to that point, there were things</p> <p>8 that the marshal service were bringing, not the CPD.</p> <p>9 Q. And how would they get to the point where</p> <p>10 they would be -- be essentially required to do</p> <p>11 applications for the marshals?</p> <p>12 A. Well, again, based on what I told them about</p> <p>13 the whole process, that would then come from the</p> <p>14 lieutenant, who has the final say on who would</p> <p>15 probably get deputized or who wouldn't. So I was</p> <p>16 just -- I wasn't even involved in that part of it,</p> <p>17 so...</p> <p>18 Q. Well, what did you tell them about the</p> <p>19 process of becoming deputized?</p> <p>20 A. Well, like I said earlier, based on the cases</p> <p>21 that you worked, how you worked them, arrests, if</p> <p>22 you made, you know, X amount of arrests -- there</p> <p>23 wasn't a standard number, but just showing you could</p> <p>24 work the cases and make arrests or effect arrests</p>
<p style="text-align: right;">Page 15</p> <p>1 assist them in becoming deputized?</p> <p>2 A. No.</p> <p>3 Q. Were there any discussions with Danny or</p> <p>4 Shannon with you about getting them to become</p> <p>5 deputized?</p> <p>6 A. The only thing I discussed was how the</p> <p>7 deputization process worked, not about personally</p> <p>8 getting them deputized, no.</p> <p>9 Q. And what did you tell them about how the</p> <p>10 deputization process worked?</p> <p>11 A. Well, basically, based on how your cases were</p> <p>12 worked, arrests and things of that nature, how they</p> <p>13 were made, the final word or say so comes from the</p> <p>14 lieutenant at the time.</p> <p>15 Q. Okay. Who would have been that lieutenant</p> <p>16 at the time?</p> <p>17 A. Cesario.</p> <p>18 Q. And in terms of anything else beyond that</p> <p>19 that you told either Danny or Shannon?</p> <p>20 A. Other than just general stuff about the whole</p> <p>21 process, I mean, nothing that stands out, no.</p> <p>22 Q. Did you -- and did you tell both of them or</p> <p>23 just one of them?</p> <p>24 A. I told both.</p>	<p style="text-align: right;">Page 17</p> <p>1 based on how you worked your cases.</p> <p>2 Q. And did you tell them that there was any</p> <p>3 type of number of arrests they were looking for?</p> <p>4 A. No. No.</p> <p>5 Q. And did you tell them how they would be in a</p> <p>6 position to make these numbers of arrests?</p> <p>7 A. Just work the cases that they were assigned.</p> <p>8 Q. And did you know what case -- who assigned</p> <p>9 cases to them?</p> <p>10 A. Our CMO office.</p> <p>11 Q. And who would be in charge of the</p> <p>12 assignments through the CMO office?</p> <p>13 A. Well, based on, I guess, a worksheet that</p> <p>14 they have, depending on what cases came out, they</p> <p>15 would give them to you as they saw what kind -- what</p> <p>16 your caseload was.</p> <p>17 So you could have a murder case that you were</p> <p>18 working on. You probably wouldn't get another</p> <p>19 murder case for another week or so because you just</p> <p>20 had one assigned to you, so the next person up gets</p> <p>21 a case assigned and so on and so forth.</p> <p>22 Q. Do you know how long Danny was on your team?</p> <p>23 A. I don't remember the exact time frame.</p> <p>24 Q. Do you know if it was longer than three</p>

<p style="text-align: right;">Page 18</p> <p>1 months, for instance?</p> <p>2 A. Yeah.</p> <p>3 Q. Do you know how long Shannon was on your</p> <p>4 team?</p> <p>5 A. Not offhand, but they were assigned the same</p> <p>6 time, so -- the same period of time. They were on</p> <p>7 the team -- my team at the same time.</p> <p>8 Q. So it was at least three months?</p> <p>9 A. At least three months, right.</p> <p>10 Q. How many murders do you recall Danny being</p> <p>11 assigned to?</p> <p>12 A. None.</p> <p>13 Q. How many murders do you recall Shannon being</p> <p>14 assigned to?</p> <p>15 A. None.</p> <p>16 Q. Do you know why that was?</p> <p>17 A. Because they were new to the team, to the</p> <p>18 unit, and anybody coming in new to the unit, they</p> <p>19 start them off with certain types of cases, like</p> <p>20 misdemeanor cases, things of that nature. The TFOs</p> <p>21 would get the murders, the more in-depth cases.</p> <p>22 Q. The TFOs?</p> <p>23 A. Task force officers, the ones who were</p> <p>24 deputized.</p>	<p style="text-align: right;">Page 20</p> <p>1 I can't recall the other officer's last name,</p> <p>2 but it was three officers in the CMO.</p> <p>3 Q. And were there any discussions with Danny or</p> <p>4 Shannon relating to that they wouldn't be getting</p> <p>5 murders until they were more experienced within the</p> <p>6 unit?</p> <p>7 A. I don't recall having that discussion.</p> <p>8 Q. Do you recall having any discussions with</p> <p>9 your supervisors relating to what type of</p> <p>10 assignments to give Danny or Shannon?</p> <p>11 A. No.</p> <p>12 Q. Do you recall having conversations with</p> <p>13 any -- who were your supervisors back when you were</p> <p>14 in charge of Danny and Shannon?</p> <p>15 A. My immediate supervisor was Lieutenant</p> <p>16 Cesario, and then Commander Salemme was there.</p> <p>17 Q. And do you recall having any conversations</p> <p>18 with either Lieutenant Cesario or Salemme about the</p> <p>19 fact that -- about who could be assigned to, say,</p> <p>20 murder cases and who could not be?</p> <p>21 A. No.</p> <p>22 Q. Well, where did you first learn that new</p> <p>23 officers for the unit would not be assigned murder</p> <p>24 cases?</p>
<p style="text-align: right;">Page 19</p> <p>1 Q. Okay. And then in terms of -- were you</p> <p>2 aware of any other members of your team that</p> <p>3 weren't getting murders during that time frame that</p> <p>4 you were supervising Danny and Shannon?</p> <p>5 A. Sure. Sure.</p> <p>6 Q. Who?</p> <p>7 A. I don't recall who, but, again, it depends on</p> <p>8 how our cases came up in the area that we worked.</p> <p>9 So certain people would get certain cases based on</p> <p>10 what caseload they already had. If you had a ton of</p> <p>11 cases on your books already, you wouldn't get a case</p> <p>12 assigned to you unless it was deemed necessary.</p> <p>13 Q. And would you personally watch to see what</p> <p>14 kind of caseloads an officer was getting?</p> <p>15 A. No.</p> <p>16 Q. Officers were getting.</p> <p>17 A. No.</p> <p>18 Q. Who was -- who was responsible?</p> <p>19 A. The CMO office.</p> <p>20 Q. And who would that be?</p> <p>21 A. At the time it was Officer Hanna, Officer</p> <p>22 Dugan. And who else was in there?</p> <p>23 I think that was all that -- oh, Officer --</p> <p>24 what's Nancy's last name?</p>	<p style="text-align: right;">Page 21</p> <p>1 A. The non-TFOs, the discussions we would</p> <p>2 have -- again, the non-TFOs are the task force</p> <p>3 officers who were given the stipends and things of</p> <p>4 that nature, who could work later hours. They would</p> <p>5 be given the top five cases, so homicides,</p> <p>6 shootings, things of that nature, so they could work</p> <p>7 longer hours on those cases. That's how it was set</p> <p>8 up.</p> <p>9 Q. Who told you that that's the way it would be</p> <p>10 done in the fugitive apprehension unit?</p> <p>11 A. That's the way it's always been since I've</p> <p>12 been there.</p> <p>13 Q. And did somebody tell you that?</p> <p>14 A. Well, the lieutenant and the commander told</p> <p>15 me that. Even the commander previous to him told me</p> <p>16 that.</p> <p>17 Q. So Lieutenant Cesario told you that?</p> <p>18 A. Yes.</p> <p>19 Q. Did you -- were you aware that at one point</p> <p>20 in time, Shannon was assigned a murder case and</p> <p>21 that murder case was taken away?</p> <p>22 A. No.</p> <p>23 Q. You never even heard that that had occurred?</p> <p>24 A. No.</p>

<p style="text-align: right;">Page 22</p> <p>1 Q. You didn't call Shannon Spalding personally</p> <p>2 to talk about that assignment?</p> <p>3 A. I don't recall having a conversation about</p> <p>4 that.</p> <p>5 Q. In terms of the deputizations, is it true</p> <p>6 that sergeants are the ones who submit names of who</p> <p>7 is going to be recommended to be deputized?</p> <p>8 MR. KING: Just object to the form</p> <p>9 without a time frame. Are you still talking about</p> <p>10 the time period when he was supervising --</p> <p>11 MR. SMITH: The time period that you</p> <p>12 were supervising Danny and Shannon.</p> <p>13 MR. KING: Do you need to have the</p> <p>14 question read back?</p> <p>15 THE WITNESS: Yeah.</p> <p>16 BY MR. SMITH:</p> <p>17 Q. At the time period you were supervising</p> <p>18 Danny and Shannon, was it true that sergeants would</p> <p>19 be the persons who would submit names of</p> <p>20 recommendations of who should be deputized?</p> <p>21 A. Not to my recollection, no.</p> <p>22 Q. Has it ever been that way?</p> <p>23 A. No, not to my recollection.</p> <p>24 Q. Was there any function of you as a sergeant</p>	<p style="text-align: right;">Page 24</p> <p>1 Q. And did she indicate that she wanted to be</p> <p>2 deputized?</p> <p>3 A. Yes.</p> <p>4 Q. And do you know what reasons there are that</p> <p>5 she has not been deputized in two-and-a-half years?</p> <p>6 A. That would be the captain's call, so I don't</p> <p>7 know.</p> <p>8 Q. Do you know if it has anything to do with</p> <p>9 the amounts of arrests she's made?</p> <p>10 A. Again, I wouldn't even know that answer.</p> <p>11 Q. Do you know that she had had meetings with</p> <p>12 the lieutenant and the commander, but the</p> <p>13 possibility of her being deputized was stopped?</p> <p>14 MR. KING: Just object to the form of</p> <p>15 the question. If you know anything about it, you</p> <p>16 can answer.</p> <p>17 (Off record discussion.)</p> <p>18 BY MR. SMITH:</p> <p>19 Q. Do you know if she was denied to be</p> <p>20 deputized?</p> <p>21 A. Yeah. I found that out later, yes.</p> <p>22 Q. Did you recommend that she be deputized?</p> <p>23 A. During this now new period that we're in,</p> <p>24 yes.</p>
<p style="text-align: right;">Page 23</p> <p>1 in fugitives apprehension where you would submit</p> <p>2 names to the marshals?</p> <p>3 A. No.</p> <p>4 Q. Or for -- within the Chicago Police</p> <p>5 Department as to who would be eligible for being</p> <p>6 deputized?</p> <p>7 A. No. Not at that time frame, no.</p> <p>8 Q. In terms of the five -- on your current</p> <p>9 team, the five individuals who are not sworn</p> <p>10 members, do you remember -- do you know any of</p> <p>11 their names at this time?</p> <p>12 A. That are currently assigned to my team?</p> <p>13 Q. Correct.</p> <p>14 A. Yes.</p> <p>15 Q. And who -- can you name -- name two -- just</p> <p>16 one of them, for instance?</p> <p>17 A. Tomika Rainey.</p> <p>18 Q. And how long has she been with your team?</p> <p>19 A. Two-plus years.</p> <p>20 Q. Have you discussed with her whether she</p> <p>21 wanted to be deputized or not?</p> <p>22 A. It probably came up in a conversation, but</p> <p>23 not to, you know, say that I can make you a marshal,</p> <p>24 no.</p>	<p style="text-align: right;">Page 25</p> <p>1 Q. And do you have any idea why that she wasn't</p> <p>2 deputized?</p> <p>3 A. I have no idea.</p> <p>4 Q. You didn't find anything out as to why she</p> <p>5 wasn't deputized?</p> <p>6 A. No.</p> <p>7 Q. How long have you been deputized? Obviously</p> <p>8 the whole time you've been in fugitive</p> <p>9 apprehension?</p> <p>10 A. Yes. It took a few months when I got there</p> <p>11 for clearances or whatever to go through.</p> <p>12 Q. So about --</p> <p>13 A. They had to do a background check and all</p> <p>14 that stuff, so...</p> <p>15 Q. So about how long?</p> <p>16 A. About six-and-a-half years maybe.</p> <p>17 Q. Okay. And are team members required to</p> <p>18 report to the unit before going on the streets</p> <p>19 every day within the fugitive apprehension unit?</p> <p>20 A. When you say "the unit," what are you</p> <p>21 referring to?</p> <p>22 Q. Your unit. Well, the fugitive apprehension</p> <p>23 unit, in terms of members of your team would be</p> <p>24 also members of the fugitive apprehension unit,</p>

<p style="text-align: right;">Page 26</p> <p>1 correct?</p> <p>2 A. Okay. Right.</p> <p>3 Q. So the members of your team, would they have</p> <p>4 to report to the fugitive apprehension unit on a</p> <p>5 daily -- when they were -- on the days they were</p> <p>6 working, would they have to report to that unit</p> <p>7 before going to the street?</p> <p>8 A. No. They would report to whoever the</p> <p>9 sergeant deemed necessary for them to report to.</p> <p>10 Q. So other than the unit, where would that be?</p> <p>11 A. Most of the time, we would meet in Area</p> <p>12 South, where we were assigned, 111th Street.</p> <p>13 Q. Were there times where you would -- they</p> <p>14 would report by either radio or phone?</p> <p>15 A. Yes.</p> <p>16 Q. And so it wouldn't always be an in-person</p> <p>17 reporting?</p> <p>18 A. Yeah, depending on what they were working on.</p> <p>19 Q. And were there times where they would</p> <p>20 essentially start working even before they had</p> <p>21 conversations with you?</p> <p>22 A. No.</p> <p>23 Q. Never?</p> <p>24 A. Never.</p>	<p style="text-align: right;">Page 28</p> <p>1 location and an assignment that required them being</p> <p>2 at a different location, they wouldn't have to --</p> <p>3 they could go straight home from that location?</p> <p>4 A. Sure.</p> <p>5 Q. Do you know if Shannon had to always -- when</p> <p>6 she was assigned to your team, had to always return</p> <p>7 back to Area South before going home?</p> <p>8 A. Not all the time.</p> <p>9 Q. How about most of the time?</p> <p>10 A. Well, if they had a vehicle that they had to</p> <p>11 drop off because they didn't have a take-home car,</p> <p>12 yes, but not most -- I would say probably 60, 70</p> <p>13 percent of the time, but not all the time, though.</p> <p>14 Q. So if you had to -- if you didn't have a</p> <p>15 take-home vehicle, you would agree that -- and you</p> <p>16 were using a vehicle in your job, you would have a</p> <p>17 need to return back to Area South to return the</p> <p>18 vehicle?</p> <p>19 A. Correct.</p> <p>20 Q. Do you know anyone other than Shannon</p> <p>21 Spalding who was on your team who didn't have a</p> <p>22 vehicle?</p> <p>23 A. Again, I would have to look at that roster of</p> <p>24 my team at that time to tell you.</p>
<p style="text-align: right;">Page 27</p> <p>1 Q. Were there ever times where -- and why would</p> <p>2 you need to talk with them before they would start</p> <p>3 working?</p> <p>4 A. Well, I would need to know what they were</p> <p>5 working on and what their location was and things of</p> <p>6 that nature, so that's why I would have them talk to</p> <p>7 me before they started working.</p> <p>8 Q. Okay. Were there times where you were --</p> <p>9 would have been aware of what they were working on</p> <p>10 from the day before and would be aware of their</p> <p>11 location from, say, the day before?</p> <p>12 A. If they would tell me, yes.</p> <p>13 Q. And would that be sufficient for</p> <p>14 communicating their location for the next day?</p> <p>15 A. No. I would still talk to them the same day</p> <p>16 that they were actually working.</p> <p>17 Q. Okay. Are team members required to return</p> <p>18 to -- come back to the fugitive apprehension unit</p> <p>19 on a daily basis before they complete their shift</p> <p>20 or tour of duty?</p> <p>21 A. No. Depending on what time they finished</p> <p>22 their assignments, no, they wouldn't have to come</p> <p>23 back.</p> <p>24 Q. So sometimes if they were working at a</p>	<p style="text-align: right;">Page 29</p> <p>1 Q. Did you make any efforts to try and get</p> <p>2 Shannon Spalding a vehicle?</p> <p>3 A. No.</p> <p>4 Q. Why not?</p> <p>5 A. Because that wasn't a requirement.</p> <p>6 Q. Wouldn't you have liked her -- have Shannon</p> <p>7 be able to work longer at the location that she'd</p> <p>8 be at rather than have her to take the time to</p> <p>9 drive back?</p> <p>10 A. Well, per the lieutenant, that's how things</p> <p>11 were set up at the time, so that was for everybody,</p> <p>12 every non-TFO on every team, not just my team.</p> <p>13 Q. And which lieutenant are you talking about</p> <p>14 when you say that?</p> <p>15 A. Cesario.</p> <p>16 Q. Can you think of one person other than</p> <p>17 Shannon, that was within the fugitive apprehension</p> <p>18 unit, who -- who was in the same situation, that</p> <p>19 she was without a vehicle or he was without a</p> <p>20 vehicle?</p> <p>21 A. Unless I had those -- I'm sorry.</p> <p>22 MR. KING: No. Go ahead.</p> <p>23 THE WITNESS: Unless I had those</p> <p>24 rosters in front of me to tell you actually who</p>

<p style="text-align: right;">Page 30</p> <p>1 that was, I couldn't tell you right now, no.</p> <p>2 BY MR. SMITH:</p> <p>3 Q. Do you believe there was somebody other than</p> <p>4 Shannon?</p> <p>5 A. Sure. There were tons of people.</p> <p>6 Q. Tons of people who were actually patrol</p> <p>7 officers assigned to fugitive apprehension?</p> <p>8 A. Sure, on other teams.</p> <p>9 Q. How about on your team?</p> <p>10 A. Again, I would have to see that roster to let</p> <p>11 you know who that was.</p> <p>12 Q. Okay. Without, you know, letting me know</p> <p>13 who that was in particular, do you believe that</p> <p>14 anyone on your team, other than Shannon, didn't</p> <p>15 have a take-home vehicle?</p> <p>16 A. It's -- it's possible, but I'd need to see</p> <p>17 the roster, though.</p> <p>18 Q. Okay. But you're not sure as you sit here?</p> <p>19 A. I'm not sure.</p> <p>20 Q. It could be -- it's also possible that no</p> <p>21 one other than Shannon did not have a car at that</p> <p>22 time?</p> <p>23 A. It's possible.</p> <p>24 Q. What hours are you typically assigned to?</p>	<p style="text-align: right;">Page 32</p> <p>1 or Danny Echeverria?</p> <p>2 A. I want to say March of 2012.</p> <p>3 Q. And was that when they came to the fugitive</p> <p>4 apprehension unit or before?</p> <p>5 A. The exact date, I don't know, but it was in</p> <p>6 March of 2012, I believe.</p> <p>7 Q. You didn't know them before --</p> <p>8 A. No.</p> <p>9 Q. -- they came to that unit?</p> <p>10 A. No. No.</p> <p>11 Q. And in terms of how were you made aware of</p> <p>12 the fact that they were coming to be part of the</p> <p>13 fugitive apprehension unit?</p> <p>14 A. I got a phone call from Lieutenant Cesario,</p> <p>15 and he told me that I was getting two new people on</p> <p>16 my team.</p> <p>17 Q. Okay. And in terms of do you know how long</p> <p>18 before you actually met Spalding, Shannon, or</p> <p>19 Danny, you had received that phone call?</p> <p>20 A. He called me on a Friday, and they reported</p> <p>21 to me on a Tuesday, the following week.</p> <p>22 Q. And what were you told about Danny and</p> <p>23 Shannon in that phone call?</p> <p>24 A. When he told me that I had two new people</p>
<p style="text-align: right;">Page 31</p> <p>1 A. Depending on the day, but typically 7 to 3, 7</p> <p>2 to 3:30.</p> <p>3 Q. And back when you were supervising Shannon</p> <p>4 Spalding and Danny, was that the same back then?</p> <p>5 A. Yes.</p> <p>6 Q. Just one question with regard to Ms. Rainey</p> <p>7 that we brought up, are you aware of her having any</p> <p>8 type of issue that relates to an auto accident</p> <p>9 while on duty?</p> <p>10 A. Issue, what kind of issue?</p> <p>11 Q. Where there was any type of indication that</p> <p>12 it was possible that one -- either the driver might</p> <p>13 have been drinking in terms of while driving on the</p> <p>14 job.</p> <p>15 A. I'm aware of it now, yes.</p> <p>16 Q. And do you know what -- whether there's been</p> <p>17 any discipline as a result of that?</p> <p>18 A. Not -- not that I can recall, no.</p> <p>19 Q. And was that individual a part of your team</p> <p>20 at that time?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. I'll come back to that.</p> <p>23 In terms of are you aware of -- I'm sorry.</p> <p>24 When do you first recall meeting Shannon Spalding</p>	<p style="text-align: right;">Page 33</p> <p>1 coming, I asked him their names. He told me their</p> <p>2 names. I said where are they from. He said</p> <p>3 narcotics.</p> <p>4 Q. And anything else --</p> <p>5 A. That was it.</p> <p>6 Q. -- that he told you?</p> <p>7 Had you heard anything negative about</p> <p>8 Spalding or Echeverria prior to their arrival on</p> <p>9 your team?</p> <p>10 A. No.</p> <p>11 Q. And did you hear anything else from anybody,</p> <p>12 other than Lieutenant Cesario, from the time that</p> <p>13 you heard they were -- you were told they were</p> <p>14 coming to the time that they arrived and you</p> <p>15 actually met them in person?</p> <p>16 A. No.</p> <p>17 Q. And do you know Commander O'Grady?</p> <p>18 A. Yes.</p> <p>19 Q. How long have you known him?</p> <p>20 A. For over 20 years.</p> <p>21 Q. And has he ever told you anything about</p> <p>22 Shannon Spalding?</p> <p>23 A. No.</p> <p>24 Q. Has he ever told you anything about Danny</p>

<p style="text-align: right;">Page 34</p> <p>1 Echeverria?</p> <p>2 A. No.</p> <p>3 Q. And is it true you went to the academy with</p> <p>4 O'Grady or graduated from the academy with O'Grady?</p> <p>5 A. I don't know when -- I don't know when he</p> <p>6 graduated. I graduated -- I came on in August of</p> <p>7 '86, and I don't know what month he came on, so...</p> <p>8 Q. Would it surprise you if he also came on in</p> <p>9 '86?</p> <p>10 A. It wouldn't surprise me.</p> <p>11 Q. And were you aware that Officer O'Grady at</p> <p>12 any point in time met with Lieutenant Cesario</p> <p>13 concerning either...</p> <p>14 All right. Were you aware that Commander</p> <p>15 O'Grady at any point in time met with Lieutenant</p> <p>16 Cesario about Shannon and Danny's re-assignment</p> <p>17 to fugitive apprehension?</p> <p>18 A. No.</p> <p>19 Q. Did Lieutenant Cesario ever tell you</p> <p>20 anything negative about Danny or Shannon?</p> <p>21 A. No.</p> <p>22 Q. Did the lieutenant or commander of fugitive</p> <p>23 apprehensions ever inform you that Spalding and/or</p> <p>24 Echeverria were coming from IAD?</p>	<p style="text-align: right;">Page 36</p> <p>1 question, you can answer it.</p> <p>2 THE WITNESS: No. There was -- repeat</p> <p>3 that for me, please.</p> <p>4 BY MR. SMITH:</p> <p>5 Q. In terms of after talking to them, did you</p> <p>6 see any reason that they would need to be assigned</p> <p>7 misdemeanor cases while starting out in fugitive</p> <p>8 apprehensions?</p> <p>9 MR. KING: Same objection, asked and</p> <p>10 answered.</p> <p>11 THE WITNESS: I didn't see any reason</p> <p>12 why, but, again, that was how they did the</p> <p>13 things -- how they assigned the cases while I was</p> <p>14 there, so it wasn't my call.</p> <p>15 BY MR. SMITH:</p> <p>16 Q. Did you have any conversation with your</p> <p>17 supervisors to indicate to them that it appeared</p> <p>18 that Spalding and Echeverria were experienced</p> <p>19 enough officers who previously handled felonies and</p> <p>20 things of that nature?</p> <p>21 A. No.</p> <p>22 Q. Did you want Spalding and Echeverria to be</p> <p>23 able to handle all types of cases --</p> <p>24 A. Eventually.</p>
<p style="text-align: right;">Page 35</p> <p>1 A. No.</p> <p>2 Q. Had you ever heard anybody claim or state</p> <p>3 they believed that Shannon Spalding or Danny came</p> <p>4 from IAD?</p> <p>5 A. No.</p> <p>6 Q. Did you ever ask Danny or Shannon what work</p> <p>7 they had been doing over the last year or two years</p> <p>8 before arriving with you?</p> <p>9 A. When I first met them, the day we met, on</p> <p>10 that Tuesday, I gave them my background and I asked</p> <p>11 for their background.</p> <p>12 Q. And what did they tell you?</p> <p>13 A. They told me pretty much their history, like</p> <p>14 you asked me when I first came in, but they never</p> <p>15 mentioned anything about internal affairs, IAD.</p> <p>16 They just told me the different places that they</p> <p>17 worked, things that they did, and that was it.</p> <p>18 Q. And did you consider them to be experienced</p> <p>19 officers based on their statement?</p> <p>20 A. Sure.</p> <p>21 Q. In terms of did you see any reason why they</p> <p>22 would need to be assigned misdemeanor cases?</p> <p>23 MR. KING: Objection, asked and</p> <p>24 answered already, but if you understand the</p>	<p style="text-align: right;">Page 37</p> <p>1 Q. -- as soon as possible?</p> <p>2 A. Eventually.</p> <p>3 Q. And what time frame would you have expected</p> <p>4 to be able to allow them to handle other types of</p> <p>5 cases?</p> <p>6 A. There was no set time frame.</p> <p>7 Q. So what was it based on?</p> <p>8 A. Again, it was based on they're new to the</p> <p>9 unit, and everybody new to the unit gets the cases</p> <p>10 that they get.</p> <p>11 Q. At what point are you no longer new to the</p> <p>12 unit?</p> <p>13 A. It could be three months, four months. I</p> <p>14 don't know. It all depends.</p> <p>15 Q. And...</p> <p>16 (Off record discussion.)</p> <p>17 BY MR. SMITH:</p> <p>18 Q. Did you have any conversation with anyone</p> <p>19 other than -- at any other time, other than the</p> <p>20 initial call indicating that Shannon and Danny were</p> <p>21 coming, with any of your supervisors that concerned</p> <p>22 Shannon Spalding or Danny Echeverria --</p> <p>23 A. No.</p> <p>24 Q. -- prior to their arrival?</p>

<p style="text-align: right;">Page 38</p> <p>1 A. No.</p> <p>2 Q. Do you recall a conversation taking place in</p> <p>3 the sergeant's office, in the presence of you</p> <p>4 yourself and other sergeants, where Lieutenant</p> <p>5 Cesario was warning or informing that Shannon and</p> <p>6 Danny were from IAD?</p> <p>7 A. No.</p> <p>8 Q. Did you ever -- in terms of did you -- were</p> <p>9 you involved in a conversation where Lieutenant</p> <p>10 Cesario in any way indicated that either Danny or</p> <p>11 Shannon could not be trusted?</p> <p>12 A. No.</p> <p>13 Q. Were you involved in a meeting in which</p> <p>14 Lieutenant Cesario in any way indicated that</p> <p>15 yourself and your fellow sergeants needed to relay</p> <p>16 information about concerns with Danny or Shannon</p> <p>17 being IAD to your team members?</p> <p>18 A. No.</p> <p>19 Q. Do you know a Jan Hanna?</p> <p>20 A. Yes.</p> <p>21 Q. How do you know Jan Hanna?</p> <p>22 A. She was one of the officers I mentioned</p> <p>23 earlier that was in CMO.</p> <p>24 Q. Okay. And how long have you known Jan</p>	<p style="text-align: right;">Page 40</p> <p>1 Q. And do you know where her office was with</p> <p>2 respect to Lieutenant Cesario?</p> <p>3 A. Across maybe -- maybe 50 feet away or so, but</p> <p>4 she didn't have an office. She was sitting in like</p> <p>5 an open area. She didn't have a -- she didn't have</p> <p>6 an actual office.</p> <p>7 Q. In terms of what we're talking, are we</p> <p>8 talking about the office at Kedzie and Harrison or</p> <p>9 a different office?</p> <p>10 A. At Homan Square.</p> <p>11 Q. Homan Square.</p> <p>12 Okay. In terms of are you aware that Jan</p> <p>13 Hanna has given a sworn affidavit indicating that</p> <p>14 she witnessed you in a meeting with other sergeants</p> <p>15 and Cesario, where Cesario stated that Shannon and</p> <p>16 Danny were IAD rats?</p> <p>17 A. No.</p> <p>18 Q. And that Cesario stated that to tell -- that</p> <p>19 the sergeants should tell the team members not to</p> <p>20 work with Shannon and Danny?</p> <p>21 A. No.</p> <p>22 Q. Do you have any idea or information as to</p> <p>23 why Jan Hanna would make a statement like that?</p> <p>24 MR. KING: Just object to the form and</p>
<p style="text-align: right;">Page 39</p> <p>1 Hanna?</p> <p>2 A. At the time, I didn't know her. She had just</p> <p>3 gotten over there herself. So at that time, maybe a</p> <p>4 couple months.</p> <p>5 Q. Have you ever had any arguments or personal</p> <p>6 disputes with Jan Hanna?</p> <p>7 A. No.</p> <p>8 Q. Do you know of her to have any with</p> <p>9 Lieutenant Cesario?</p> <p>10 A. None. Not to my recollection, no.</p> <p>11 Q. How about Commander Salemme?</p> <p>12 A. No.</p> <p>13 Q. Are you -- and do you know where physically</p> <p>14 within the office Jan Hanna worked back in the time</p> <p>15 you were supervising Danny and Shannon?</p> <p>16 A. She was more near the financial crime</p> <p>17 section, and the commander's office was way up</p> <p>18 front, and so, yeah, she was -- she's quite a</p> <p>19 distance away.</p> <p>20 Q. And in terms of when you say "the</p> <p>21 commander's office," you're referring to whose</p> <p>22 office?</p> <p>23 A. Commander Salemme. This is at the Homan</p> <p>24 Square facility.</p>	<p style="text-align: right;">Page 41</p> <p>1 lack of foundation, but you can answer.</p> <p>2 THE WITNESS: I have no idea.</p> <p>3 BY MR. SMITH:</p> <p>4 Q. Have you ever heard fellow officers use the</p> <p>5 word "rats"?</p> <p>6 A. No.</p> <p>7 Q. Never?</p> <p>8 A. Never.</p> <p>9 Q. In terms of have you ever used the word</p> <p>10 "rats"?</p> <p>11 A. No.</p> <p>12 Q. Have you ever heard officers discuss concern</p> <p>13 that a fellow officer might be working in some</p> <p>14 undercover capacity with IAD?</p> <p>15 A. No.</p> <p>16 Q. Have you ever heard concerns or supervisors</p> <p>17 talking about that you should be aware that you</p> <p>18 could be working alongside individuals who were</p> <p>19 employed to watch and make sure there's no improper</p> <p>20 actions taken by police officers?</p> <p>21 A. No.</p> <p>22 Q. Have you ever had discussions with your team</p> <p>23 members about the fact that it's possible that</p> <p>24 individuals could be a part of IAD and working in</p>

<p style="text-align: right;">Page 42</p> <p>1 undercover capacities investigating officers?</p> <p>2 A. No.</p> <p>3 Q. In terms of have you ever known a time when</p> <p>4 Jan Hanna was working -- her space was simply</p> <p>5 separated by a wall from Lieutenant Cesario's</p> <p>6 space?</p> <p>7 A. Yes, when we moved to Harrison and Kedzie.</p> <p>8 Q. Did you ever personally have conversations</p> <p>9 with your team members in which you told anyone on</p> <p>10 your team to be cautious around Spalding and</p> <p>11 Echeverria?</p> <p>12 A. No.</p> <p>13 Q. Did you ever have a conversation with a</p> <p>14 member of your team, warning them that they may --</p> <p>15 that Shannon or Danny may have been IAD or IAD</p> <p>16 rats?</p> <p>17 A. No.</p> <p>18 Q. Did you ever tell them that -- anyone on</p> <p>19 your team that they should be leery of working with</p> <p>20 either Danny or Shannon --</p> <p>21 A. No.</p> <p>22 Q. -- in any manner?</p> <p>23 A. No.</p> <p>24 Q. Did you ever tell members of your team to</p>	<p style="text-align: right;">Page 44</p> <p>1 stuff, were there any conversations relating to</p> <p>2 poor performance?</p> <p>3 A. No.</p> <p>4 Q. Were there any conversations relating to</p> <p>5 where they had come from?</p> <p>6 A. No.</p> <p>7 Q. Well, did anyone ever ask you a question</p> <p>8 about where Danny or Shannon ever came from?</p> <p>9 A. They may have asked.</p> <p>10 Q. And what was your answer?</p> <p>11 A. I don't know.</p> <p>12 Q. And who asked you?</p> <p>13 A. I don't recall. There's so many people in</p> <p>14 that office. I don't know.</p> <p>15 Q. Did you ever get a sense from any of those</p> <p>16 people that asked you that they were concerned</p> <p>17 about where they came from?</p> <p>18 MR. KING: Just object to the form. I</p> <p>19 think he testified they may have asked, but I don't</p> <p>20 know that he testified --</p> <p>21 THE WITNESS: What was the question</p> <p>22 again?</p> <p>23 BY MR. SMITH:</p> <p>24 Q. Did you ever ask anyone if, in response --</p>
<p style="text-align: right;">Page 43</p> <p>1 treat Shannon or Danny differently in any manner?</p> <p>2 A. No.</p> <p>3 Q. Did you ever tell anyone on your team not to</p> <p>4 work with Shannon or Danny?</p> <p>5 A. No.</p> <p>6 Q. Did you ever tell any sworn members of your</p> <p>7 team not to back up Spalding or Echeverria on the</p> <p>8 streets?</p> <p>9 A. No.</p> <p>10 Q. In terms of did you ever tell them not to</p> <p>11 back -- any members of your team not to back up</p> <p>12 Shannon or Danny in any way?</p> <p>13 A. No.</p> <p>14 Q. Did you ever tell any member of Unit 606 or</p> <p>15 any other -- other units that worked in the same</p> <p>16 area as fugitive apprehensions, to -- for example,</p> <p>17 bomb and arson, financial crimes, that Spalding and</p> <p>18 Echeverria were from IAD and not to trust them?</p> <p>19 A. No.</p> <p>20 Q. Did you ever have any conversations with any</p> <p>21 of the office staff in fugitive apprehensions</p> <p>22 regarding Spalding or Echeverria?</p> <p>23 A. Other than work-related stuff, no.</p> <p>24 Q. And in terms of when you say work-related</p>	<p style="text-align: right;">Page 45</p> <p>1 did you ever give any -- did you ever find out why</p> <p>2 anyone would have been concerned where they came</p> <p>3 from?</p> <p>4 A. No.</p> <p>5 Q. Did any members of your team or members of</p> <p>6 the fugitive apprehension unit ever have a</p> <p>7 conversation with you about not wanting to work</p> <p>8 with Spalding or Echeverria?</p> <p>9 A. No.</p> <p>10 Q. While Spalding and Echeverria were assigned</p> <p>11 to your team, do you ever recall telling Spalding,</p> <p>12 while in Area South in your presence, in the</p> <p>13 presence of other sworn members and detectives of</p> <p>14 Area South, that she should do a homicide arrest</p> <p>15 report for an offender -- for an offender that</p> <p>16 actually Detective Gushiniere apprehended?</p> <p>17 A. I don't recall that conversation.</p> <p>18 Q. Let me come back to that.</p> <p>19 Was there a time where -- do you know an</p> <p>20 officer by the name of Walker who worked in</p> <p>21 fugitive apprehension?</p> <p>22 A. Yes.</p> <p>23 Q. Do you recall a meeting in which Walker</p> <p>24 stood up and told you that -- and indicated that</p>

<p style="text-align: right;">Page 46</p> <p>1 you informed the team that they should not work 2 with Danny or Shannon? 3 A. I don't recall that. 4 Q. Do you recall at any point Walker standing 5 up and addressing concerns in a meeting about Danny 6 and Shannon? 7 A. I don't recall that. 8 Q. Do you recall Walker at any point standing 9 up and in any way indicating that he was under the 10 impression that you did not want him or other team 11 members to back up Danny or Shannon? 12 A. I don't recall that. 13 Q. If somebody on your team, such as Walker, 14 would make a statement like that, would that be 15 something you would remember? 16 A. Sure. 17 Q. That would be a fairly substantial claim for 18 somebody to think that they weren't supposed to 19 back up other officers on the street, correct? 20 A. Definitely. 21 Q. And what would you do if somebody said that? 22 A. Would definitely take it higher. 23 Q. Do you recall having any instance with 24 Officer Walker in which he made any complaint or</p>	<p style="text-align: right;">Page 48</p> <p>1 believed that somebody had told the team that they 2 were IAD? 3 A. I don't recall that statement. 4 Q. And do you recall Danny claiming that 5 somebody had told him that you had indicated to 6 team members that they shouldn't back Danny or 7 Shannon? 8 A. No. 9 Q. Do you recall that -- demanding to know 10 who -- demanding to know who claimed that you said 11 that they were IAD? 12 A. No. 13 Q. You don't recall Officer Walker standing up 14 and admitting that he was the person who told Danny 15 and Shannon that you had indicated that they could 16 be IAD or words to that effect? 17 A. No. 18 Q. Or that -- and that you had indicated that 19 you should treat them differently or shouldn't work 20 with them? 21 A. No. 22 Q. Do you know Officer Gushiniere? 23 A. Yes. 24 Q. Do you recall that when Danny and Shannon</p>
<p style="text-align: right;">Page 47</p> <p>1 any concern during a team meeting? 2 A. During a team meeting that I've had when 3 Shannon and Danny were on the team, I'd talk about 4 just general stuff that's going on within the unit, 5 and then I open up the floor to whoever wants to 6 speak about whatever is going on. So they can speak 7 on whatever once I finish talking about what I need 8 to talk about. 9 Q. Okay. Do you recall a team meeting where 10 the issue of whether Danny and Shannon may have 11 come from IAD was addressed during a meeting? 12 A. During one of the team meetings after I 13 opened up the floor to everyone, Danny stood up and 14 pretty much addressed the room at that point and 15 asked if anyone had a problem working with them, 16 people were speculating that they were from internal 17 affairs and things of that nature. So Danny posed 18 the question to everybody in the room. 19 Q. And did anybody respond to Danny? 20 A. Everybody responded, from what I recall, very 21 favorably, telling Danny and Shannon we don't have a 22 problem with you guys, we'll work with you guys, 23 things to that effect. 24 Q. Do you recall Danny indicating that he</p>	<p style="text-align: right;">Page 49</p> <p>1 were addressing concerns about the team, that 2 Gushiniere asked why -- that they asked Gushiniere 3 why... 4 (Off record discussion.) 5 BY MR. SMITH: 6 Q. Okay. Are you aware that Gushiniere asked 7 Danny and Shannon at the meeting why Danny and 8 Shannon thought there was an issue? 9 A. I don't recall that. 10 Q. Do you recall anyone saying that they had 11 heard that you had indicated that Danny and Shannon 12 were IAD? 13 A. No. 14 Q. In terms of did you ask Danny personally why 15 he thought that team members had concerns and why 16 he raised that in that meeting? 17 A. I don't remember asking him that. Again, I 18 opened up the floor to anybody who wants to speak 19 after I spoke, so that was a concern Danny had so he 20 addressed the room. And everybody, like I said 21 earlier, said they had no problems working with 22 Danny or Shannon. 23 Q. Who stated that? 24 A. Everybody on the team, that was on the team</p>

<p style="text-align: right;">Page 50</p> <p>1 at that time.</p> <p>2 Q. Other than that statement, do you recall any</p> <p>3 officer making a statement about the issue?</p> <p>4 A. No, I don't.</p> <p>5 Q. Do you know if Walker said anything during</p> <p>6 that meeting other than I have no problem working</p> <p>7 with Danny or Shannon?</p> <p>8 A. Other than that statement, no, I don't recall</p> <p>9 him saying anything else.</p> <p>10 Q. Do you know if Gushiniere said anything at</p> <p>11 that meeting?</p> <p>12 A. I don't recall if he did.</p> <p>13 Q. Do you recall anyone standing up during that</p> <p>14 meeting to make a point?</p> <p>15 A. Danny stood up.</p> <p>16 Q. Other than Danny.</p> <p>17 A. No.</p> <p>18 Q. And do you know who was at that meeting?</p> <p>19 A. Whoever was on my team at the time.</p> <p>20 Q. And who would that have been?</p> <p>21 A. I got to look at my roster again.</p> <p>22 Q. Would Gushiniere have been part of that</p> <p>23 team?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 52</p> <p>1 arise as you sit here today?</p> <p>2 A. I don't recall it, but if there's some</p> <p>3 reports out there that will reflect that, it's</p> <p>4 possible, but I don't recall it.</p> <p>5 Q. In terms of did you ever ask Shannon</p> <p>6 Spalding to prepare a homicide-related arrest</p> <p>7 report?</p> <p>8 A. Again, I don't recall that.</p> <p>9 Q. In terms of you're aware that if somebody</p> <p>10 completes an arrest report, they must attest to the</p> <p>11 facts as being true in terms of what -- what's been</p> <p>12 put in the arrest report?</p> <p>13 A. Yes.</p> <p>14 Q. And would you agree that if somebody wasn't</p> <p>15 present for the arrest, that -- and they were</p> <p>16 attesting to the facts of an arrest instead of the</p> <p>17 officer who was actually involved in the arrest,</p> <p>18 that could be considered falsifying an arrest</p> <p>19 report?</p> <p>20 A. It could be, depending on the circumstances,</p> <p>21 yes.</p> <p>22 Q. What circumstances would there be where</p> <p>23 somebody who wasn't present could do an arrest</p> <p>24 report attesting to the facts of the arrest?</p>
<p style="text-align: right;">Page 51</p> <p>1 Q. Do you remember anyone else at this moment?</p> <p>2 A. Tony Robinson, his partner. I want -- I</p> <p>3 think Harry Strong. I think. I'm not certain.</p> <p>4 Milton Scott.</p> <p>5 Q. If an officer had concerns that other</p> <p>6 officers weren't going to back them on the street,</p> <p>7 would you agree that it would be your</p> <p>8 responsibility, as sergeant of the team, to address</p> <p>9 those concerns?</p> <p>10 A. Definitely. Most definitely.</p> <p>11 Q. Would you agree that you would -- would you</p> <p>12 feel that you would need to go to your supervisors?</p> <p>13 A. Yes.</p> <p>14 Q. What did you do to address those concerns?</p> <p>15 A. Those concerns were never brought to me, so I</p> <p>16 didn't address them.</p> <p>17 Q. Okay. In terms of I had mentioned -- asked</p> <p>18 you a question about a time in Area South where --</p> <p>19 I asked you if you recalled ever asking Shannon to</p> <p>20 do a report relating to a homicide arrest that</p> <p>21 was -- that Detective Gushiniere was the individual</p> <p>22 who apprehended the suspect.</p> <p>23 A. Okay.</p> <p>24 Q. Do you recall ever having that situation</p>	<p style="text-align: right;">Page 53</p> <p>1 A. Well, if they gave information or had</p> <p>2 information leading up to that arrest, even though</p> <p>3 they weren't physically there, but they actually had</p> <p>4 information or gave information to the officers who</p> <p>5 made the arrest, I could consider them being on the</p> <p>6 arrest report.</p> <p>7 Q. Okay. But in terms of being on the arrest</p> <p>8 report, in terms of actually attesting to and</p> <p>9 preparing the arrest report, would you believe</p> <p>10 their presence would need to be there?</p> <p>11 A. Again, depending on the circumstances in my</p> <p>12 estimation. If you gave me information based on</p> <p>13 that and I made that arrest, I could -- I could</p> <p>14 consider putting you there.</p> <p>15 Q. Did you ever have an instance where Shannon</p> <p>16 was involved and had knowledge or gave information</p> <p>17 leading to or in connection with a homicide arrest</p> <p>18 by Officer Gushiniere?</p> <p>19 A. Again, I don't recall that.</p> <p>20 Q. Did you have any situation where Shannon</p> <p>21 Spalding gave information or had knowledge about a</p> <p>22 homicide arrest where you later asked her to do the</p> <p>23 arrest report?</p> <p>24 A. I don't recall that.</p>

<p style="text-align: right;">Page 54</p> <p>1 Q. Do you recall an instance where Shannon 2 Spalding told you that she was uncomfortable with 3 preparing an arrest report because she wasn't 4 present? 5 A. No. 6 Q. Do you recall an instance where Shannon 7 Spalding voiced her concerns about doing an arrest 8 report at any point in time? 9 A. No. 10 Q. Do you recall an instance where Officer 11 Gushiniere was upset or in any way talked to you 12 about the fact that having Shannon Spalding do an 13 arrest report for his arrest was not appropriate? 14 A. No. 15 Q. Do you recall an incident in which -- do you 16 recall ever having an argument with Shannon 17 Spalding? 18 A. An argument? 19 Q. Yes. 20 A. No. 21 Q. Do you recall an instance where -- in terms 22 of do you recall an instance in which Officer 23 Gushiniere told Shannon Spalding not to do a report 24 on a homicide?</p>	<p style="text-align: right;">Page 56</p> <p>1 her displeasure about the cases that she was 2 working. I then told her -- I turned the radio on 3 to the zone. Just the zone. I didn't know if it 4 was District 3. I just turned the radio on. 5 And I just asked her the question, would you 6 rather be doing what you're doing or would you 7 rather being doing what they're doing on this radio, 8 and that's all I said. 9 Q. And you didn't snap your fingers and said I 10 could have you launched to District 3? 11 A. No, sir. 12 Q. You never in any way indicated you better 13 watch yourself? 14 A. No. 15 Q. Do you know if Kevin Williams was in the 16 vicinity when you were having that conversation? 17 A. I'm sure he was. 18 Q. And do you recall there being two detectives 19 in the area when you were having that conversation? 20 A. Yes. 21 Q. And do you recall one of those detectives 22 saying to you that you were way out of line and 23 that you're making me uncomfortable with how you're 24 treating this officer and you need to stop?</p>
<p style="text-align: right;">Page 55</p> <p>1 A. No. 2 Q. Do you recall an instance where -- how far 3 is your -- in Area South, how far was your desk 4 from where Shannon Spalding's desk was when she was 5 on your team? 6 A. We don't have particular desks. We just sit 7 where we sit. Where we find an open seat, we sit. 8 Q. Okay. Was there a time where you sat next 9 to or at a desk immediately in front of Shannon 10 Spalding and you told Shannon Spalding that -- 11 after turning up a radio to the District 3 12 zone -- 13 A. Uh-huh. 14 Q. -- that you told Shannon Spalding that 15 that's the District 3 and I can have you launched 16 to District 3 and you better watch yourself? 17 A. No, that wasn't the conversation. 18 Q. Was there any conversation at all similar to 19 that? 20 A. Sure. 21 Q. What was the conversation? 22 A. The conversation was, she had just come in 23 with an arrest with her partner and two other 24 officers from our unit, and at some point she voiced</p>	<p style="text-align: right;">Page 57</p> <p>1 A. What I remember those detectives doing were 2 laughing, and they said something. I don't know 3 what they said, but I know they were laughing about 4 it. 5 Q. And did you hear one of them say that -- 6 "can you say hostile work environment?" 7 A. I don't remember that. 8 Q. Well, what did you think they were laughing 9 about? 10 A. Well, I know the detectives, so they were 11 just probably laughing at me and what I said. 12 That's all. 13 Q. Who are the detectives? 14 A. One is Detective Shergen, and I can't 15 remember her partner's name, but he's no longer 16 there, but I can't remember his name. 17 Q. Do you know how to spell Shergen? 18 A. S-H-E-R-G-E-N maybe. I don't know. 19 Q. Do you know his first name? 20 A. It's a female. 21 Q. Or her first name? 22 A. Rita. 23 Q. And you don't know Rita's partner's name? 24 A. No, I don't know his name.</p>

<p style="text-align: right;">Page 58</p> <p>1 Q. Was it a female or a male?</p> <p>2 A. It was a male.</p> <p>3 Q. Do you know -- can you give any kind of</p> <p>4 description.</p> <p>5 A. A little bit taller than me, bald, white</p> <p>6 male, kind of a little stomach, a little gut on him.</p> <p>7 That's pretty much it.</p> <p>8 (Off record discussion.)</p> <p>9 BY MR. SMITH:</p> <p>10 Q. In terms of did you ever have a conversation</p> <p>11 with either of those detectives about that</p> <p>12 discussion or incident?</p> <p>13 A. I probably did later on. Like I said, he was</p> <p>14 joking about it, but probably did later on.</p> <p>15 Q. And what was that discussion about?</p> <p>16 A. Pretty much what happened, the incident that</p> <p>17 happened and what I said.</p> <p>18 Q. And what did you tell them?</p> <p>19 A. I pretty much told them what I said, again I</p> <p>20 repeated what I said.</p> <p>21 Q. Why did you feel the need to repeat what you</p> <p>22 said to them?</p> <p>23 A. They asked me about it.</p> <p>24 Q. What did they ask you?</p>	<p style="text-align: right;">Page 60</p> <p>1 Q. And it's possible that it was a homicide</p> <p>2 arrest?</p> <p>3 A. I don't know what kind of arrest it was.</p> <p>4 Q. And it -- you did not agree with Shannon in</p> <p>5 that she should be upset with not wanting to follow</p> <p>6 your directive to do that report, isn't that</p> <p>7 correct?</p> <p>8 A. I didn't take it as her being upset. She</p> <p>9 just made a statement to me and I gave a statement</p> <p>10 back.</p> <p>11 Q. Well, in terms of was Shannon not -- was she</p> <p>12 happy with the assignment?</p> <p>13 A. Well, apparently not. I don't know. You</p> <p>14 have to ask her.</p> <p>15 Q. And in fact, Shannon Spalding refused to do</p> <p>16 the report, isn't that correct?</p> <p>17 A. I have no idea what she refused to do.</p> <p>18 Q. Did she do the report?</p> <p>19 A. I have no idea.</p> <p>20 Q. Well, if she refused to do a report after</p> <p>21 you gave her a direct command to do one, that would</p> <p>22 be a problem, wouldn't it be?</p> <p>23 MR. KING: Just object to the form of</p> <p>24 the question. There's been no testimony that he</p>
<p style="text-align: right;">Page 59</p> <p>1 A. What the hell was that all about.</p> <p>2 Q. And then what did you say?</p> <p>3 A. I said I don't know, I just told her -- I</p> <p>4 told them that I gave her an assignment, I guess she</p> <p>5 didn't like the assignment, and I told her these are</p> <p>6 her options, what would she rather be doing, this or</p> <p>7 that.</p> <p>8 Q. And wasn't it in fact true that that</p> <p>9 assignment that she didn't like was -- you asked</p> <p>10 her to do a report?</p> <p>11 A. I don't know what I asked her to do. Like I</p> <p>12 said, they came in with an arrest, so I don't</p> <p>13 know -- so I don't even recall what the arrest was</p> <p>14 for --</p> <p>15 Q. Do you remember --</p> <p>16 A. -- if it was her arrest or the other</p> <p>17 officer's arrest, but they came in with an arrest.</p> <p>18 Q. So it's possible that it was another</p> <p>19 officer's arrest?</p> <p>20 A. It's possible, but, again, I don't know for</p> <p>21 sure whose arrest it was.</p> <p>22 Q. And it's possible that it was Officer</p> <p>23 Gushiniere's arrest?</p> <p>24 A. I don't know whose arrest it was.</p>	<p style="text-align: right;">Page 61</p> <p>1 asked her to do a report, other than your</p> <p>2 questions.</p> <p>3 THE WITNESS: Would you repeat the</p> <p>4 question?</p> <p>5 BY MR. SMITH:</p> <p>6 Q. If she had refused to do a report that you</p> <p>7 directed her to do, that would be -- that would be</p> <p>8 a -- an officer failing to do their job, correct?</p> <p>9 A. Right, if I had directed them to do a report.</p> <p>10 I didn't direct her to do a report, though.</p> <p>11 Q. And what would you do if somebody refused to</p> <p>12 do a report that you asked them to do that was</p> <p>13 under your command?</p> <p>14 A. If that were to happen, I would counsel them.</p> <p>15 Q. Okay. And would you potentially tell them</p> <p>16 that they could work somewhere else?</p> <p>17 A. No.</p> <p>18 Q. How would you counsel them?</p> <p>19 A. We have different forms of discipline within</p> <p>20 the department. It starts with a verbal counseling</p> <p>21 or verbal reprimand, and it goes up the chain from</p> <p>22 there.</p> <p>23 Q. In terms of if somebody were to tell you</p> <p>24 that they didn't feel comfortable with doing a</p>

<p style="text-align: right;">Page 62</p> <p>1 report because they weren't there, would you 2 consider that a potential reason to maybe not take 3 disciplinary action? 4 A. If that were the case. 5 Q. And do you recall if you at all got mad at 6 Shannon's position that she didn't want to -- she 7 didn't like the assignment? 8 A. No, I didn't get mad. 9 Q. And in terms of when you brought up the 10 district zone three, what was the purpose of 11 bringing up the district zone three? 12 MR. KING: Object to the form of the 13 question, which misstates his testimony. He didn't 14 say anything about district zone three, but you can 15 answer. 16 BY MR. SMITH: 17 Q. In terms of the zone, other than -- or the 18 other type of job other than fugitive 19 apprehensions, when you brought that up, what was 20 your purpose in doing that? 21 A. My purpose of doing that was saying I think 22 what you're doing is better than what they're doing. 23 That's the only reason I did that. 24 Q. And was that in any way a joke?</p>	<p style="text-align: right;">Page 64</p> <p>1 about that conversation that you had with Shannon? 2 A. Not that I can recall, no. 3 Q. Did he ever indicate to you that he heard 4 the conversation? 5 A. No, he didn't. He didn't say to me he heard 6 it, but... 7 Q. Immediately after the conversation, do you 8 recall that you walked with Shannon to a back room 9 upstairs in Area South? 10 A. I don't recall. 11 Q. Is it possible? 12 A. It's possible, but I don't recall it right 13 now. 14 Q. And you had a conversation with her in a 15 closed office? 16 MR. KING: Object to the question, 17 assuming facts not in evidence. 18 THE WITNESS: Again, I don't recall if 19 I did have a conversation with her, and if I did, 20 it wasn't in a closed office. 21 BY MR. SMITH: 22 Q. Where would it have been? 23 A. In a roll call room, where we normally have 24 our meetings at.</p>
<p style="text-align: right;">Page 63</p> <p>1 A. Yeah. 2 Q. And in terms of did you tell the detectives 3 that that was a joke? 4 A. Yes. 5 Q. And how was it a joke that what you're doing 6 is better than district zone three? 7 A. Well, in my estimation -- again, I don't know 8 what zone it was. Like I said, I just randomly 9 turned the radio on, but in my estimation, driving 10 around in a beat car all day, going from job to job 11 to job to job, as opposed to working at your pace, 12 having pretty much the run of the city to do your 13 job or any investigations, is a better position than 14 being in a district, being set in boundaries and 15 just going from job to job to job. So that was my 16 purpose for saying that. 17 Q. And did you expect that to get Shannon to be 18 happy with the assignment you had just given her? 19 A. I didn't expect her to do anything, other 20 than I just made a statement. 21 Q. And did it appear that Shannon perceived 22 that comment as a joke? 23 A. I have no idea. 24 Q. Have you ever talked with Officer Williams</p>	<p style="text-align: right;">Page 65</p> <p>1 Q. Do you know if anyone else was in the roll 2 call room? 3 MR. KING: Same objection, to form of 4 the question, since he's testified he can't recall 5 any conversations. You can answer to the best of 6 your ability. 7 THE WITNESS: If the conversation did 8 take place, there was no one else there but myself 9 and Shannon. 10 BY MR. SMITH: 11 Q. And in terms of -- I believe I asked you if 12 was it in a closed office. Is it possible it was 13 in an open door office other than the roll call 14 room? 15 A. It's possible. 16 Q. After that discussion about the assignment, 17 when you -- isn't it true that when you were alone 18 with Shannon, you talked with her about knowing who 19 she and Echeverria were before they arrived? 20 A. No. 21 Q. Isn't it true that you told Spalding, during 22 the conversation in a room where just the two of 23 you were, that the team was uncomfortable working 24 with her and Danny?</p>

<p style="text-align: right;">Page 66</p> <p>1 A. No.</p> <p>2 Q. Isn't it true that you told her -- well,</p> <p>3 what would you have taken her up to a room to talk</p> <p>4 about?</p> <p>5 MR. KING: Object to the form of the</p> <p>6 question.</p> <p>7 THE WITNESS: If that conversation took</p> <p>8 place, basically to talk about what just happened</p> <p>9 out on the floor when we talked about that</p> <p>10 assignment.</p> <p>11 BY MR. SMITH:</p> <p>12 Q. And how do you recall -- if the conversation</p> <p>13 happened, how would you know that it would have</p> <p>14 been alone with Shannon?</p> <p>15 A. Because there was nobody else there, if that</p> <p>16 happened. Nobody else was in that room but myself</p> <p>17 and her.</p> <p>18 Q. Was -- how would you have known, for</p> <p>19 instance, Shannon didn't express other concerns in</p> <p>20 that meeting if it happened?</p> <p>21 A. Again, I don't recall if she expressed any</p> <p>22 other concerns if we had that conversation.</p> <p>23 Q. In terms of did you tell Shannon Spalding,</p> <p>24 during that conversation, that you were warned by</p>	<p style="text-align: right;">Page 68</p> <p>1 THE WITNESS: As I answered previously,</p> <p>2 no.</p> <p>3 BY MR. SMITH:</p> <p>4 Q. In terms of have you ever worked with</p> <p>5 Commander O'Grady?</p> <p>6 A. Yes.</p> <p>7 Q. Where have you worked with him?</p> <p>8 A. In narcotics.</p> <p>9 Q. And in what --- was he your supervisor there</p> <p>10 or were you on the same team or...</p> <p>11 A. We were on different teams, but we were both</p> <p>12 police officers there.</p> <p>13 Q. And how long were you working in narcotics</p> <p>14 at the same time with O'Grady?</p> <p>15 A. Like I said previously, I was there for 14</p> <p>16 years, so it was some point during those 14 years</p> <p>17 that we worked in some capacity together.</p> <p>18 Q. And did you know him even before you worked</p> <p>19 at narcotics?</p> <p>20 A. No.</p> <p>21 Q. Are you social friends with Commander</p> <p>22 O'Grady?</p> <p>23 A. No.</p> <p>24 Q. Have you ever been over to his house?</p>
<p style="text-align: right;">Page 67</p> <p>1 the lieutenant that she and Danny were from IAD?</p> <p>2 A. No. If we had that conversation, I don't</p> <p>3 recall that.</p> <p>4 Q. Have you ever told Shannon that you were</p> <p>5 very good friends with Commander O'Grady?</p> <p>6 A. No.</p> <p>7 Q. Do you have any idea how she knows that</p> <p>8 you're very good friends with Commander O'Grady?</p> <p>9 MR. KING: Object to the form of the</p> <p>10 question and lack of foundation.</p> <p>11 THE WITNESS: I have no idea.</p> <p>12 BY MR. SMITH:</p> <p>13 Q. Isn't it true during that meeting you told</p> <p>14 her that you were very good friends with Commander</p> <p>15 O'Grady?</p> <p>16 A. If that meeting took place, I don't recall</p> <p>17 making that statement to her.</p> <p>18 Q. And in terms of you also told her that you</p> <p>19 had a conversation with O'Grady about Shannon and</p> <p>20 Danny prior to their arrival with -- at the</p> <p>21 fugitive apprehension unit?</p> <p>22 MR. KING: Same objection, to form and</p> <p>23 lack of foundation about a conversation that may or</p> <p>24 not exist, but you can answer.</p>	<p style="text-align: right;">Page 69</p> <p>1 A. No.</p> <p>2 Q. Have you ever gone to non-police activities</p> <p>3 together?</p> <p>4 A. No.</p> <p>5 Q. In terms of had you worked with Commander</p> <p>6 O'Grady anywhere beyond -- besides narcotics?</p> <p>7 A. No. Other than narcotics, no.</p> <p>8 Q. Do you know Commander O'Grady's -- any of</p> <p>9 Commander O'Grady's family members?</p> <p>10 A. No.</p> <p>11 Q. Did you tell Shannon Spalding that the guys</p> <p>12 on the team, including yourself, don't trust her?</p> <p>13 A. No.</p> <p>14 Q. Did you tell her that the guys on the team</p> <p>15 don't trust her because she doesn't socialize with</p> <p>16 the guys?</p> <p>17 A. No.</p> <p>18 Q. Did you ever have a conversation about the</p> <p>19 fact that, with Shannon Spalding, about the fact</p> <p>20 that she was -- wasn't socializing with members of</p> <p>21 her team?</p> <p>22 A. No.</p> <p>23 Q. Did you ever have a conversation with</p> <p>24 Shannon Spalding about the need to socialize with</p>

<p style="text-align: right;">Page 70</p> <p>1 members of the team?</p> <p>2 A. No.</p> <p>3 Q. Did the majority of team members, in your</p> <p>4 opinion, socialize with each other more than</p> <p>5 Shannon and the team members?</p> <p>6 A. I'd say everybody socialized with everyone,</p> <p>7 Shannon and Danny included. That's what I saw.</p> <p>8 Q. Did you ever tell Shannon that the team was</p> <p>9 uncomfortable with her and Danny and that you</p> <p>10 personally feared that if they needed help, the</p> <p>11 team might not respond?</p> <p>12 A. No.</p> <p>13 Q. Did you ever tell Shannon that you did not</p> <p>14 want to tell her daughter that she, referring to</p> <p>15 Shannon, was coming home in a box?</p> <p>16 A. No.</p> <p>17 Q. Do you recall anything about what you said</p> <p>18 to Shannon Spalding in a private meeting?</p> <p>19 A. No.</p> <p>20 Q. Did you -- after your initial conversation</p> <p>21 about the other district and her unhappiness with</p> <p>22 the assignment, did you tell Spalding that you</p> <p>23 wanted to address some concerns about her and her</p> <p>24 partner Danny?</p>	<p style="text-align: right;">Page 72</p> <p>1 waited outside the door of a meeting?</p> <p>2 A. No.</p> <p>3 Q. Are you familiar with the general orders</p> <p>4 relating to protecting any sworn member, who</p> <p>5 reports another member for corruption, should be</p> <p>6 protected from retaliation or a hostile work</p> <p>7 environment?</p> <p>8 A. I'm not familiar with it, but I've heard of</p> <p>9 it.</p> <p>10 Q. Isn't it true that every member is trained</p> <p>11 in that procedure?</p> <p>12 A. As far as I know.</p> <p>13 Q. So how is it that you are not familiar with</p> <p>14 it?</p> <p>15 A. I mean, I'm not familiar with it verbatim.</p> <p>16 There's so many orders out, that we go through these</p> <p>17 things daily, so we don't specifically concentrate</p> <p>18 on one order and just let it stick with us.</p> <p>19 Q. Are you aware of any laws that protect</p> <p>20 whistleblowers from retaliation?</p> <p>21 A. I've heard of them, yes.</p> <p>22 Q. Isn't it your responsibility, as a</p> <p>23 supervisor, to be familiar with the general orders</p> <p>24 relating to a hostile work environment?</p>
<p style="text-align: right;">Page 71</p> <p>1 A. No.</p> <p>2 Q. Do you recall having a meeting with Shannon</p> <p>3 Spalding in which Danny and Kevin Williams walked</p> <p>4 in to see what was going on?</p> <p>5 A. No.</p> <p>6 Q. This meeting that would have been alone with</p> <p>7 Shannon, do you recall if anyone walked in?</p> <p>8 A. No.</p> <p>9 Q. Do you recall -- do you recall that -- do</p> <p>10 you recall making a joke to Danny to the effect of,</p> <p>11 Danny, you get to play with her all day and I'll</p> <p>12 give her back when I'm done?</p> <p>13 A. No, sir.</p> <p>14 MS. Spalding: That's funny.</p> <p>15 BY MR. SMITH:</p> <p>16 Q. Did you -- do you recall Shannon indicating</p> <p>17 that since this may be an issue concerning herself</p> <p>18 and Danny, that maybe Danny should stay and just</p> <p>19 have a discussion with you?</p> <p>20 A. No.</p> <p>21 Q. Do you recall telling Danny to leave a</p> <p>22 meeting with you and Shannon?</p> <p>23 A. No, I don't.</p> <p>24 Q. Do you know if -- do you know if Danny</p>	<p style="text-align: right;">Page 73</p> <p>1 A. Yes.</p> <p>2 Q. And as a boss, aren't you supposed to</p> <p>3 monitor and make sure that there is no hostile work</p> <p>4 environment?</p> <p>5 A. Sure.</p> <p>6 Q. When's the last time you familiarized</p> <p>7 yourself with general orders relating to a hostile</p> <p>8 work environment or retaliation?</p> <p>9 A. Probably a while because I don't have a</p> <p>10 hostile work environment around me, so I guess I</p> <p>11 don't keep up with that unless it occurs.</p> <p>12 Q. As a member of the police department, sworn</p> <p>13 member of the police department, is it your</p> <p>14 responsibility, if you become aware of a sworn</p> <p>15 member being harassed -- retaliated against or</p> <p>16 harassed, to report it?</p> <p>17 A. Yes.</p> <p>18 Q. Well, what are your responsibilities as a</p> <p>19 supervisor or a sergeant to protect a member once</p> <p>20 they have voiced concerns about harassment or</p> <p>21 retaliation?</p> <p>22 A. Well, from my understanding, if that were to</p> <p>23 occur, I would document the allegation and take it</p> <p>24 up the chain, as far as my supervisors and so on and</p>

<p style="text-align: right;">Page 74</p> <p>1 so forth.</p> <p>2 Q. When Danny expressed concerns in the meeting</p> <p>3 about being concerned about other people, other</p> <p>4 team members treating them differently or being</p> <p>5 fearful that they were from IAD, did you document</p> <p>6 it in any way?</p> <p>7 A. Well, what Danny did, he -- he didn't express</p> <p>8 concern. He asked a question. He didn't express</p> <p>9 concern.</p> <p>10 Q. Did you in any way document that?</p> <p>11 A. No.</p> <p>12 Q. Did you in any way take that up the chain of</p> <p>13 command?</p> <p>14 A. No.</p> <p>15 Q. What made you believe that his question was</p> <p>16 not a concern?</p> <p>17 A. The way it was posed.</p> <p>18 Q. And in what way was it posed that made you</p> <p>19 believe it was not a concern?</p> <p>20 A. He just asked if anyone had any issues</p> <p>21 working with him and Shannon, and everybody answered</p> <p>22 individually that they didn't.</p> <p>23 Q. Well, he also indicated that he was</p> <p>24 concerned that people didn't want to work with</p>	<p style="text-align: right;">Page 76</p> <p>1 of foundation.</p> <p>2 BY MR. SMITH:</p> <p>3 Q. -- that Danny was expressing?</p> <p>4 A. I didn't believe it wasn't a concern because</p> <p>5 it never happened.</p> <p>6 Q. And you don't remember that at that time</p> <p>7 that a fellow officer on your team stood up to</p> <p>8 voice the fact that he understood where Danny's</p> <p>9 concerns were coming from?</p> <p>10 MR. KING: Again, objection, asked and</p> <p>11 answered several times, but...</p> <p>12 THE WITNESS: Again, I don't recall if</p> <p>13 anyone stood up and voiced their concerns or</p> <p>14 opinions about that.</p> <p>15 BY MR. SMITH:</p> <p>16 Q. Is there anything in the general orders that</p> <p>17 allows a supervisor to wait until something</p> <p>18 actually happens or somebody is harmed before they</p> <p>19 take action?</p> <p>20 A. No.</p> <p>21 Q. Do you recall during a meeting with Shannon</p> <p>22 Spalding that she voiced concerns with you about</p> <p>23 the rumors that were circulating regarding her and</p> <p>24 Danny being IAD rats?</p>
<p style="text-align: right;">Page 75</p> <p>1 them, correct?</p> <p>2 A. He may have said that. I'm not sure if he</p> <p>3 said that or not.</p> <p>4 Q. He also indicated concern that people</p> <p>5 thought he was with -- they were -- that he and</p> <p>6 Shannon were from IAD?</p> <p>7 A. He may have said that. I'm not sure if he</p> <p>8 said that for sure or not.</p> <p>9 Q. He also indicated that he was concerned that</p> <p>10 people were going to treat them differently and not</p> <p>11 want to work with them on the streets?</p> <p>12 A. He may have said that. Again, I'm not sure</p> <p>13 if he said it.</p> <p>14 Q. As an officer, you would be aware of the</p> <p>15 dangers that would be posed to a fellow officer if</p> <p>16 they didn't believe that they could get backup on</p> <p>17 the street?</p> <p>18 A. Definitely.</p> <p>19 Q. In fact, it could be -- it could be a</p> <p>20 situation of life and death?</p> <p>21 A. Definitely.</p> <p>22 Q. And you didn't believe that that would be a</p> <p>23 concern --</p> <p>24 MR. KING: Object to the form and lack</p>	<p style="text-align: right;">Page 77</p> <p>1 A. In the team meeting?</p> <p>2 Q. No, in any meeting.</p> <p>3 A. Probably in the team meeting, I think she</p> <p>4 expressed some concerns. What they were, I don't</p> <p>5 recall what they were.</p> <p>6 Q. How about any other time?</p> <p>7 A. That would have been the only time I recall,</p> <p>8 during a team meeting.</p> <p>9 Q. What did Shannon say about that?</p> <p>10 A. Just said -- I don't recall what she said.</p> <p>11 Q. Did you do anything to document that?</p> <p>12 A. No. Again, I don't recall what she said.</p> <p>13 Q. Did you create a CR about the -- concerning</p> <p>14 that?</p> <p>15 A. No, I didn't.</p> <p>16 Q. Did you approach any supervisors about that?</p> <p>17 A. No, I didn't.</p> <p>18 Q. Did you ever tell Shannon Spalding that even</p> <p>19 your supervisor -- or even supervisors from</p> <p>20 narcotics had told you that she and Danny put a</p> <p>21 sergeant in prison?</p> <p>22 A. No.</p> <p>23 Q. Did anyone from narcotics ever tell you that</p> <p>24 Shannon and Danny were responsible for putting a</p>

<p style="text-align: right;">Page 78</p> <p>1 sergeant in prison?</p> <p>2 A. No.</p> <p>3 Q. Did you ever learn that Danny and Shannon</p> <p>4 had anything to do with putting a sergeant in</p> <p>5 prison?</p> <p>6 A. No.</p> <p>7 Q. You're saying never?</p> <p>8 A. No, never.</p> <p>9 Q. Did Spalding ever express to you concerns</p> <p>10 that she might not -- the team members wouldn't</p> <p>11 back her up?</p> <p>12 A. As I answered previously, no.</p> <p>13 Q. Did you call for a team meeting -- did you</p> <p>14 call for the team meeting in which Danny expressed</p> <p>15 his concern?</p> <p>16 A. I have a team meeting probably quarterly. I</p> <p>17 meet with my team on different occasions about, like</p> <p>18 I said earlier, general stuff that's going on within</p> <p>19 the office, keep them apprised of what's going on</p> <p>20 with the unit. And once I have that meeting with</p> <p>21 everybody and tell them what's going on, I open up</p> <p>22 the floor for any other concerns or things of that</p> <p>23 nature.</p> <p>24 Q. So was there ever a meeting in relation to</p>	<p style="text-align: right;">Page 80</p> <p>1 Q. And what did you talk about?</p> <p>2 A. Just what we saw on TV.</p> <p>3 Q. And do you recall what you said to Mills and</p> <p>4 what Mills said to you about that?</p> <p>5 A. No.</p> <p>6 Q. Were you surprised by that?</p> <p>7 A. That this thing had occurred?</p> <p>8 Q. Yes.</p> <p>9 A. Yeah, I was. I didn't know the guy, so -- I</p> <p>10 mean, like that, so...</p> <p>11 Q. Did Mills indicate in any way that he was</p> <p>12 aware that Shannon or Danny were involved in any</p> <p>13 kind of investigation?</p> <p>14 A. Not to me, no.</p> <p>15 Q. Did you ever talk to anybody, other than</p> <p>16 potentially your attorney, who indicated they were</p> <p>17 aware that Shannon and Danny were involved in any</p> <p>18 type of investigation of an officer?</p> <p>19 A. No.</p> <p>20 MR. KING: Do you want to take a break</p> <p>21 or are you good?</p> <p>22 THE WITNESS: I'm fine.</p> <p>23 MR. SMITH: Okay.</p> <p>24 /////</p>
<p style="text-align: right;">Page 79</p> <p>1 what Shannon had talked to you about -- did you</p> <p>2 ever call a -- a separate meeting or a second</p> <p>3 meeting to discuss the concerns of Shannon?</p> <p>4 A. Not that I can recall.</p> <p>5 Q. And did you ever -- in terms of did you ever</p> <p>6 see in the media anything about -- that made you</p> <p>7 aware that Shannon or Danny had any involvement</p> <p>8 with putting a sergeant in prison?</p> <p>9 A. Yeah, in the media.</p> <p>10 Q. When did you learn that?</p> <p>11 A. They were gone from my team at that point, so</p> <p>12 I don't -- it could have been over a year ago, if</p> <p>13 not longer.</p> <p>14 Q. Were they still in fugitive apprehension?</p> <p>15 A. Yes.</p> <p>16 Q. And did you know who their supervisor was?</p> <p>17 A. Through the media I found out who it was.</p> <p>18 Q. Did you know who their supervisor was at the</p> <p>19 time you found out about it in the media?</p> <p>20 A. I believe they were on Sergeant Mill's team</p> <p>21 at the time.</p> <p>22 Q. Did you ever have a conversation with</p> <p>23 Sergeant Mills about what you read in the media?</p> <p>24 A. No, other than what we saw on TV.</p>	<p style="text-align: right;">Page 81</p> <p>1 BY MR. SMITH:</p> <p>2 Q. Do you recall Danny indicating during that</p> <p>3 meeting where he voiced concerns -- saying that now</p> <p>4 is the time, if anyone has any questions about he</p> <p>5 or Shannon, to ask them and they will answer it?</p> <p>6 MR. KING: I'll just object to the form</p> <p>7 of the question. The witness testified that he</p> <p>8 didn't interpret it as Danny expressing any</p> <p>9 concerns, but, rather, asking a question. But</p> <p>10 subject to that, you can answer.</p> <p>11 THE WITNESS: I don't recall him asking</p> <p>12 that, but he could have. I don't recall him saying</p> <p>13 it, though.</p> <p>14 BY MR. SMITH:</p> <p>15 Q. Do you recall Danny saying that all we want</p> <p>16 is to come to work and be allowed to do our jobs in</p> <p>17 peace?</p> <p>18 A. Again, I don't recall him saying it, but it's</p> <p>19 possible he said it.</p> <p>20 Q. Do you recall at that point Officer</p> <p>21 Gushiniere asking Danny why he was asking?</p> <p>22 A. I don't recall that being said from Officer</p> <p>23 Gushiniere.</p> <p>24 Q. Do you recall Danny saying at that point in</p>

<p style="text-align: right;">Page 82</p> <p>1 time that he was asking because -- do you recall 2 anyone at that point in time stating: Because 3 Sergeant Barnes had told me that the team is 4 uncomfortable working with us? 5 A. No, don't recall that. 6 Q. And -- okay. Did you ever have a 7 conversation with Officer Hernandez? 8 A. Yes. 9 Q. Do you recall having a conversation with 10 Officer Hernandez after the team meeting that Danny 11 spoke in a back room in Area South? 12 A. The meeting I recall with Officer Hernandez 13 was after Shannon and I spoke about this zone -- 14 this turning the radio on incident. 15 Q. And where did that take place? 16 A. In the roll call room at Area South. 17 Q. And who else was present, if anyone? 18 A. No one. Just me and him. 19 Q. And in terms of Officer Hernandez, your 20 office was essentially down the hall from his 21 office in Area South? 22 A. I didn't have an office at Area South. 23 Q. Do you recall indicating to Officer -- in 24 terms of -- he had an office in the same general</p>	<p style="text-align: right;">Page 84</p> <p>1 girlfriend. 2 Q. And what was your response to that? 3 A. Well, my response was what the hell are you 4 talking about. 5 Q. And what did he say -- 6 A. He went further and he started talking 7 about -- he said, you told my girlfriend that you 8 were going to dump her, for whatever reason he gave. 9 So at that point, I said call her, which he 10 did. And we were still in the room talking about 11 this situation, and he says to Shannon, while -- he 12 had it on speaker phone, for whatever reason, and 13 while he was on speaker phone -- and I don't know if 14 Shannon knew he was on speaker phone, but at some 15 point Shannon got upset and started apologizing to 16 me about telling -- well, telling Officer Hernandez, 17 why do you have me on this phone, Serg, I'm sorry, 18 I'm sorry, hang up this damn phone, hang up this 19 phone, telling Officer Hernandez this. 20 Q. Anything else? 21 A. Well, I guess at that point, he hung up the 22 phone, and I told him never to approach me like that 23 again. And then I let his supervisor know what 24 happened.</p>
<p style="text-align: right;">Page 83</p> <p>1 area or his work area was in the same general area 2 as yours, correct, Officer Hernandez? 3 A. Not in the same general area. Narcotics had 4 offices down the hall, somewhere by the radio room. 5 Q. And how far about? 6 A. Over a hundred feet maybe, if not longer. 7 Q. Do you recall why you had a meeting with 8 Officer Hernandez? 9 A. He approached me. 10 Q. Do you know why he approached you? 11 A. Well, I found out eventually why he 12 approached me, but I didn't know -- initially when 13 he walked up to me, I didn't know what was going on. 14 Q. And in terms of what -- do you know what 15 Officer Hernandez's assignment was at that time? 16 A. As far as I know, he worked in narcotics. 17 Q. And what was the meeting about? 18 A. About Shannon. 19 Q. Okay. And what did Officer Hernandez tell 20 you about Shannon? 21 A. Well, he didn't tell me. He kind of -- how 22 would I say? He approached me in an angry, 23 pissed-off manner about Shannon, and he said what's 24 this I'm hearing, you're trying to dump my</p>	<p style="text-align: right;">Page 85</p> <p>1 Q. Who was his supervisor? 2 A. Sergeant Blanks. 3 Q. Did you know Sergeant Blanks before this? 4 A. Yes. 5 Q. How did you know Sergeant Blanks? 6 A. We worked together in the 11th District over 7 20 years ago and then we worked together in 8 narcotics. 9 Q. And in terms of isn't it true that you 10 indicated in that meeting that information about a 11 CR against Padar? 12 A. No. 13 Q. Do you know a Sergeant Padar? 14 A. No. 15 Q. Did you in any way indicate when you're 16 meeting with Mr. Hernandez that either he or 17 Shannon -- did you accuse either he or Shannon of 18 filing a CR against Padar? 19 A. The only conversation that myself and Officer 20 Hernandez had was regarding Shannon. It wasn't 21 regarding anyone or anything else. 22 Q. Did you have any indication that Shannon had 23 any knowledge that Hernandez was going to talk to 24 you?</p>

<p style="text-align: right;">Page 86</p> <p>1 A. Based on her reaction, no, I don't think she 2 knew. 3 Q. And isn't it true that Officer Gushiniere 4 was present when Hernandez came to speak with you? 5 A. My whole team pretty much was present on the 6 floor in the area. We were all sitting there typing 7 reports when he approached me. 8 Q. Do you recall that Officer Gushiniere was at 9 a computer in the area where you were talking to 10 Officer Hernandez? 11 A. Well, there are computers at all the desks, 12 so he could have been. 13 Q. And in terms of did you believe that 14 anything -- any aspect of Officer Hernandez's 15 demeanor was in any way threatening? 16 A. When he initially approached me. 17 Q. How so? 18 A. Well, he yelled out my first name, and this 19 is from somebody I don't even know, or didn't know 20 at the time. 21 Q. And how loud was he when he yelled it out? 22 A. I mean, he just kind of walked up as he was 23 approaching me, Maurice, I need to talk to you. So 24 it was a normal tone, but it was just kind of like</p>	<p style="text-align: right;">Page 88</p> <p>1 A. I'm not sure if we did. We could have, but 2 I'm not sure. 3 Q. Has Tony Hernandez ever called you? 4 A. No. 5 Q. Is it true that you told Shannon Spalding 6 that you and Tony Hernandez were fine or cool or 7 words to that effect? 8 A. I think the following day, Shannon and I met 9 in that same room, and she pretty much apologized 10 for his actions. And I just told her that wasn't 11 cool what he did, but I'm fine now. So that was 12 pretty much it. 13 Q. Did you -- did you tell him that -- tell 14 Shannon that he seemed like a nice guy? 15 A. It's possible. 16 Q. Is it true that approximately a week later, 17 that Shannon and Danny were called into a meeting 18 with yourself, Lieutenant Cesario and Commander 19 Spalding -- and Commander Salemmme? 20 A. I don't recall a time frame, but I'm sure 21 shortly after that, it was. 22 Q. And is it true that after this incident in 23 the -- after the meeting or during the meeting, 24 Shannon and Danny were taken off your team and put</p>
<p style="text-align: right;">Page 87</p> <p>1 you can tell something was going on the way he said 2 my name. 3 Q. Did Officer Gushiniere ever tell you that he 4 thought Hernandez was being unprofessional in any 5 way? 6 A. Not to my recollection. We never had a 7 conversation. 8 Q. Did anyone say to you that he saw what -- he 9 or she saw what -- how Hernandez approached you and 10 heard the conversation and thought it was 11 unprofessional? 12 A. No. 13 Q. Did anyone ever tell you that -- that 14 Hernandez -- Officer Hernandez -- did anyone ever 15 ask you what was that all about? 16 A. His sergeant did. 17 Q. In terms of that was around at the time that 18 you had the conversation with him? 19 A. They may have, and I didn't -- I didn't 20 expound on it. I didn't tell them anything. 21 Q. Is it true that you shook hands with 22 Mr. Hernandez? 23 A. We probably did once everything was cleared. 24 Q. Is it true that you exchanged phone numbers?</p>	<p style="text-align: right;">Page 89</p> <p>1 onto a nightshift? 2 A. Yes. 3 Q. Is it true that -- that -- whose decision 4 was it to take them off your team and put them on a 5 night team? 6 A. The lieutenant. 7 Q. Did you ask the lieutenant to take them off 8 your team? 9 A. No, I didn't ask. 10 Q. Did you suggest that they should be taken 11 off your team? 12 A. No. 13 Q. Why did -- do you know why the lieutenant 14 took them off your team? 15 A. I think he did it -- I think that he did it 16 based on the incident that I had with Shannon's 17 boyfriend, because I definitely reported it to him 18 the next day and told him what happened, and I think 19 he did it based on that. 20 Q. Did he ever tell you that he did it based on 21 that? 22 A. I think at some point he did. 23 Q. At what point? 24 A. It could have been prior to the meeting or</p>

<p style="text-align: right;">Page 90</p> <p>1 during the meeting. I'm not sure exactly when he 2 expressed that to me, but he did express that to me, 3 that he didn't think it was a good thing that -- 4 that that confrontation happened and it so happened 5 to be her boyfriend, so...</p> <p>6 Q. Did you agree with him in any way or tell 7 him you agreed with him in any way?</p> <p>8 A. Well, I told him it doesn't feel good to have 9 other people, outside people, approaching me because 10 of other issues or things that's going on on the 11 team, so it probably would be best if we just parted 12 ways.</p> <p>13 Q. Isn't it true that you described your 14 interaction with Hernandez as hostile to the 15 lieutenant?</p> <p>16 A. Yeah, I told him it was hostile in the 17 beginning, but in the end, everything pretty much 18 washed itself out.</p> <p>19 Q. And is it true you told the lieutenant and 20 commander that if Shannon stayed on the team, you 21 would be in fear of a future altercation?</p> <p>22 A. No.</p> <p>23 Q. And isn't it true that you went on to say 24 that Officer Gushiniere was a witness to the</p>	<p style="text-align: right;">Page 92</p> <p>1 unfair to take an officer off his assignment and 2 send them to nights based on another officer's 3 actions?</p> <p>4 MR. KING: Object to the form and lack 5 of foundation.</p> <p>6 THE WITNESS: That's not my call to 7 make.</p> <p>8 BY MR. SMITH:</p> <p>9 Q. Was there any discussion of that?</p> <p>10 A. No, not that I can recall.</p> <p>11 Q. So was there any discussion of the need to 12 do a CR against Officer Hernandez ever had between 13 yourself, Lieutenant Cesario or Commander Salemme?</p> <p>14 A. Myself and Lieutenant Cesario did talk about 15 it briefly.</p> <p>16 Q. What was that conversation?</p> <p>17 A. Well, he pretty much put the ball in my 18 court. He said, Maurice, you could generate a 19 number if you want, but if you feel like you handled 20 it the way you wanted to handle it, then just let it 21 go, and I did. I felt that it was handled the way I 22 wanted to handle it. We talked about everything 23 doesn't need to be generated with paperwork and 24 things of that nature. That's just my opinion.</p>
<p style="text-align: right;">Page 91</p> <p>1 hostile altercation with Hernandez?</p> <p>2 A. No, sir.</p> <p>3 Q. Did you ever tell anybody that anyone else 4 was around during this incident with Mr. Hernandez?</p> <p>5 A. Well, I told him that everybody saw him 6 approach me. They don't know what happened in the 7 room, though.</p> <p>8 Q. Did you specifically mention that Gushiniere 9 was present?</p> <p>10 A. No, sir.</p> <p>11 Q. Have you ever talked -- was Hernandez 12 assigned to fugitives at that time?</p> <p>13 A. No. As I stated earlier, he was assigned to 14 narcotics as far as I knew.</p> <p>15 Q. Did you or the lieutenant or any of your 16 supervisors initiate a CR against Hernandez for his 17 actions?</p> <p>18 A. No.</p> <p>19 Q. If you felt like you were threatened by 20 Hernandez in any way, would you ask to initiate a 21 CR or done a CR against Hernandez?</p> <p>22 A. If I felt that I was threatened. I don't 23 feel like I was threatened, though.</p> <p>24 Q. Did you feel in any way that it would be</p>	<p style="text-align: right;">Page 93</p> <p>1 Q. And in terms of Shannon Spalding, was there 2 any discussion as to whether she would want to be 3 put on nights?</p> <p>4 A. I don't recall that conversation, no.</p> <p>5 Q. Did she ever tell you that she was fine with 6 being put on nights, or anyone in that meeting?</p> <p>7 A. Not that I can remember, no.</p> <p>8 Q. Did you think that she would be happy to be 9 taken off days and put on nights?</p> <p>10 A. I have no idea.</p> <p>11 Q. Was there any discussion, in terms of with 12 Cesario or Salemme, relating to the fact that 13 Shannon Spalding did anything wrong in relation to 14 the incident with Mr. Hernandez?</p> <p>15 A. I don't recall anybody having a conversation 16 to that effect.</p> <p>17 Q. Was there any conversation as to what to do 18 with Danny with respect to being taken off your 19 team -- in addition to Shannon, why Danny would 20 need to be taken off as well?</p> <p>21 A. I have no recollection to that.</p> <p>22 Q. Was there any discussion to the effect of 23 because of Shannon having a boyfriend, that 24 Danny -- who had a conversation with you, that</p>

<p style="text-align: right;">Page 94</p> <p>1 Danny shouldn't suffer and be moved from the days 2 to nights? 3 A. I have no idea. 4 Q. I mean, is that customary to take action 5 against one officer because of the actions of 6 another officer? 7 A. Not to my knowledge, no. 8 Q. I mean, did anyone present any reason as to 9 why Danny needed to be taken off the team? 10 A. Not that I know of, no. 11 Q. Was there ever any option given to Danny for 12 him to stay on the team? 13 A. Not to my recollection. 14 Q. Isn't it true that Officer Salemmé said to 15 Shannon and Danny that they brought this baggage 16 with -- with them to fugitive apprehension and that 17 you should have known that if you go against bosses 18 and work with IAD, this would happen? 19 A. No, he didn't say that. 20 Q. What reason was given for lumping Danny 21 together with Shannon with respect to this 22 incident? 23 A. I have no idea. 24 Q. What reason was there for taking any action</p>	<p style="text-align: right;">Page 96</p> <p>1 A. No. Not to my knowledge, no. 2 Q. What -- to move somebody from days to nights 3 without their request, what would be the normal 4 procedure to do that? 5 A. I've never been in that position to do that, 6 so I wouldn't know. 7 Q. Was there any discussion about Hernandez 8 being moved? 9 A. He's not in our unit, so I couldn't tell you 10 what discussions were given on his behalf. 11 Q. When you talked to Blanks, what did you tell 12 Blanks about -- did you talk to Blanks at all about 13 moving Hernandez? 14 A. No. I just told him about the incident. 15 Q. Did you talk to Blanks at all about having 16 any disciplinary action against Hernandez? 17 A. The only thing Blanks told me was he would 18 handle it. Whatever -- when I told him about the 19 incident, he said I'll take care of it. 20 Q. And did you ever learn how Blanks handled 21 it? 22 A. No. 23 Q. Did you ever learn what Blanks meant by 24 that?</p>
<p style="text-align: right;">Page 95</p> <p>1 against Danny for something that Tony Hernandez did 2 to you? 3 A. I have no idea. 4 Q. Isn't it true that there was discussion 5 about the fact that Danny and Shannon would have to 6 stay together because they were being assigned 7 there because of what work they had done in the 8 past and that they would stay as a team and they'd 9 be moved as a team? 10 A. No. 11 Q. Have you ever seen any incidents in which 12 one officer was taken off a team for the actions of 13 another officer that they had nothing to do with? 14 A. Not in the places I've been, sir, no. 15 Q. Except for this one? 16 A. It's the first time. 17 Q. Did you ever ask Shannon Spalding or Danny 18 Echeverria, ever ask them if they worked for IAD? 19 A. Never. 20 Q. Did Salemmé or Cesario ever ask Shannon or 21 Danny if they worked for IAD in your presence? 22 A. Not in my presence, not to my knowledge, no. 23 Q. Were they asked by Commander Salemmé if they 24 had investigated bosses and put them in prison?</p>	<p style="text-align: right;">Page 97</p> <p>1 A. No. 2 Q. Did you believe Blanks was going to generate 3 a CR? 4 A. I don't know what he was going to do. He 5 just told me he was going to handle it. I let 6 sergeants do their thing. If that's his team 7 member, he handled it the way he wanted to handle 8 it. 9 Q. If a sergeant -- if you, as a sergeant, 10 receive a complaint or knowledge of a complaint 11 against a fellow officer -- against one of your 12 team members -- 13 A. Uh-huh. 14 Q. -- for acting inappropriately or in a manner 15 unprofessional towards a supervisor, would you 16 generate a CR? 17 A. Not necessarily. 18 Q. If -- if you had received a complaint that 19 one of your team members had threatened a 20 supervisor, would you generate a CR? 21 A. Yeah. 22 Q. Was there any discussion that this might be 23 an excuse for getting rid of Shannon Spalding? 24 A. No.</p>

25 (Pages 94 - 97)

<p style="text-align: right;">Page 98</p> <p>1 Q. Was there any reason given as to why 2 Spalding would be moved for Hernandez's actions? 3 A. There was no reason given to me. 4 Q. Was there any discussion had in any way 5 during that meeting? 6 A. No. 7 (Off record discussion.) 8 BY MR. SMITH: 9 Q. Okay. In terms of generally speaking, we 10 talked a little bit already about how Spalding 11 and -- or Shannon and Danny would be assigned their 12 cases. 13 Do you recall what type of cases they 14 typically received? 15 A. They were misdemeanor cases, like criminal 16 trespass cases, people wanted for failure to 17 register for sex offenses, things like that. 18 Q. And in terms of a misdemeanor criminal 19 trespass -- 20 A. Uh-huh. 21 Q. -- would this be a situation where there was 22 a warrant for, like, failure to show up for court 23 and they were assigned that, or how -- 24 A. It could have been a warrant, it could have</p>	<p style="text-align: right;">Page 100</p> <p>1 call them on occasion. 2 Q. Was there any time that that had happened 3 and you decided to assign those cases to either 4 Danny or Shannon? 5 A. It's possible. I don't remember. 6 Q. In terms of is there any time where you 7 actually remember doing that? 8 A. Again, it's possible. I don't remember. 9 Q. Is it possible that you didn't do that? 10 A. It's possible. 11 Q. And in terms of was there any point in time 12 where you addressed Danny or Shannon about their 13 caseload? 14 A. It's possible. I'd probably -- I try to 15 address everybody about their caseload, so it's 16 possible that I did. 17 Q. Do you have any recollection of talking to 18 Danny or Shannon about their caseload being too 19 high or too low? 20 A. No. 21 Q. Do you have any -- is there any type of 22 indication, when somebody is handling misdemeanors 23 as opposed to serious felonies, such as homicides 24 or, you know, residential burglaries or things of</p>
<p style="text-align: right;">Page 99</p> <p>1 been a person named in a case report, it could have 2 been an investigative alert the division put out. 3 There's a number of ways that they can -- there's a 4 number of ways these people are wanted, so... 5 Q. And in terms of what part did you have in 6 how their assignments were given to them, if any? 7 A. The only time I would play a part is if, 8 depending like I told you earlier, if someone just 9 had a -- they were just overloaded with cases. And 10 I would say, okay, they have like, say, ten cases 11 that they're working on, give this case to 12 so-and-so, so if they were just overloaded with 13 stuff. 14 I try to keep it fair across the board as far 15 as what -- you know, how many cases they had working 16 at one particular time. 17 Q. Was there any point in time where anyone 18 came to you and said that they were overloaded, in 19 your team? 20 A. There were a few times guys were like, Serg, 21 I got this going on, I got this going on, you know, 22 give me -- can I -- you know, can you get somebody 23 else for this case or whatever. So I would see -- 24 you know, I would check with the officers first, or</p>	<p style="text-align: right;">Page 101</p> <p>1 that nature, that the caseload is made higher for 2 people handling the misdemeanor, or would it be the 3 same? 4 A. It could be the same, it could be higher, it 5 could be lower. Each area is different, so it all 6 depends on where we're working and what we're 7 working on. 8 Q. Within fugitive apprehension, is there any 9 type of attempt to put an importance on certain 10 warrants and certain crimes over others? 11 A. Yeah. I could say that, yes. 12 Q. I mean, isn't it fair to say that more 13 emphasis is put on felonies and serious crimes in 14 terms of fugitive apprehension? 15 A. Depending on the area, yes. 16 Q. And in terms of with respect to the area 17 that Danny and Shannon were assigned to, would you 18 agree that area would be one where there was more 19 emphasis put on felonies and serious crimes? 20 A. Sure. 21 Q. In fact, it's not -- it certainly would be a 22 much higher priority to pick up somebody who had a 23 warrant for a murder rather than somebody who is 24 wanted on a criminal trespass, correct?</p>

<p style="text-align: right;">Page 102</p> <p>1 A. Sure.</p> <p>2 Q. What did you do in an attempt to determine</p> <p>3 whether -- and in terms with respect to a homicide</p> <p>4 or -- or a residential burglary, things of that</p> <p>5 effect, you would expect there to be more</p> <p>6 information developed in relation to the suspects</p> <p>7 in those cases than potentially somebody in a</p> <p>8 misdemeanor situation?</p> <p>9 A. When you say "information developed," meaning</p> <p>10 by who?</p> <p>11 Q. By the police officers or detectives who</p> <p>12 were involved in initially investigating the case.</p> <p>13 A. I would say no, because sometimes we were</p> <p>14 given information -- very scarce information, and</p> <p>15 the officers who were assigned to those cases then</p> <p>16 had to go out and do their own, you know, legwork</p> <p>17 and really try to shore up the case, so to speak.</p> <p>18 Q. In your experience, would you agree, though,</p> <p>19 that, in connection with the average homicide, you</p> <p>20 would generally have more paperwork and more</p> <p>21 investigation than something like the average</p> <p>22 criminal trespass to land?</p> <p>23 A. Yes.</p> <p>24 Q. In terms of did you do anything in</p>	<p style="text-align: right;">Page 104</p> <p>1 Spalding relating to -- right during the time that</p> <p>2 she was taken off a homicide?</p> <p>3 A. Again, I'm not a hundred percent sure. It's</p> <p>4 possible, but I'm not -- I'm not sure if it was or</p> <p>5 wasn't.</p> <p>6 Q. Would taking one of your officers off a</p> <p>7 homicide be something that you would generally</p> <p>8 recall?</p> <p>9 A. It depends on how long ago it was and if</p> <p>10 somebody else was working the case already.</p> <p>11 Q. Do you have any idea why Shannon would or</p> <p>12 wouldn't be taken off a homicide that was assigned</p> <p>13 to her?</p> <p>14 A. Again, if someone else was working the case.</p> <p>15 Other than that, I don't know. Again, I'd have to</p> <p>16 see whatever information that's out there to recall</p> <p>17 that.</p> <p>18 Q. Are you aware that Jan Hanna gave a sworn</p> <p>19 affidavit stating that you and Lieutenant Cesario</p> <p>20 became aware of Shannon being assigned to a</p> <p>21 homicide and became irate and took her -- took the</p> <p>22 assignment away from her?</p> <p>23 A. Other than you telling me now, no, I'm not</p> <p>24 aware.</p>
<p style="text-align: right;">Page 103</p> <p>1 connection with Danny or Shannon to make any</p> <p>2 investigation to see if they were given -- being</p> <p>3 given a high enough caseload?</p> <p>4 A. No.</p> <p>5 Q. Who would have been responsible for that?</p> <p>6 A. The CMO office.</p> <p>7 Q. And who would that have been?</p> <p>8 A. Officer Hanna, Officer Dugan, the other</p> <p>9 officer that was in the office. Again, they have a</p> <p>10 spreadsheet that they work off of, and they look at</p> <p>11 the different cases, who is assigned and what their</p> <p>12 caseload is.</p> <p>13 Q. Okay. In terms of -- I think I already</p> <p>14 asked you, but did you ever become aware that</p> <p>15 Shannon was assigned to homicide?</p> <p>16 A. Again, it's possible, but I don't recall her</p> <p>17 being assigned a homicide.</p> <p>18 Q. Isn't it true that Lieutenant Cesario</p> <p>19 specifically instructed you to reassign her and</p> <p>20 take her off a homicide?</p> <p>21 A. No, no one specifically told me to do</p> <p>22 anything like that.</p> <p>23 Q. Isn't it true that you made a phone call,</p> <p>24 which there would be a record of, to Shannon</p>	<p style="text-align: right;">Page 105</p> <p>1 Q. Were you aware that the lieutenant</p> <p>2 instructed yourself and other officer personnel to</p> <p>3 only assign Spalding and Echeverria dead-end</p> <p>4 assignments?</p> <p>5 A. No.</p> <p>6 Q. Are you cc'd on the emails from fugitive</p> <p>7 apprehensions unit office personnel regarding the</p> <p>8 assignments of Danny and Shannon --</p> <p>9 A. You.</p> <p>10 Q. -- when you were their team sergeant?</p> <p>11 A. Yes. Yes.</p> <p>12 Q. So were you aware that many, if not most, of</p> <p>13 Shannon Spalding's assignment were either</p> <p>14 individuals who were already in jail, deceased</p> <p>15 or -- or where a warrant was not serviceable?</p> <p>16 A. I'm sure she had cases, along with other</p> <p>17 members in the unit, like that.</p> <p>18 Q. Do you know if she had more cases like that</p> <p>19 than the average member of the unit?</p> <p>20 A. No, I'm not.</p> <p>21 Q. Was anything done to check and see if that</p> <p>22 was true or not?</p> <p>23 A. Not that I know of.</p> <p>24 Q. Would it concern you if one of your officers</p>

<p style="text-align: right;">Page 106</p> <p>1 was getting mostly assignments where somebody was 2 either in jail or dead? 3 A. No, because like I said before, everybody -- 4 she's not the only one who had cases like that, so 5 it wouldn't be my concern. 6 Q. Well, you wouldn't expect the other officers 7 on your team to get assignments that were mostly 8 cases in which the warrants were concerning 9 individuals who were in jail, dead or where the 10 warrant was not serviceable? 11 A. Again, everybody got cases like that, so 12 that's -- that's how we do business over there. 13 Everybody got cases like that. She wasn't the only 14 one getting cases like that. 15 Q. But did -- did everybody mainly get cases 16 like that who were on your team? 17 A. Again, everybody got cases like that. 18 Everybody. 19 Q. Well, you would -- you would agree there 20 would be a difference between ten percent of the 21 cases being assigned to one of your team members 22 like that versus 95 percent of the cases like that 23 being assigned to one of your team members? 24 MR. KING: Just object to the form and</p>	<p style="text-align: right;">Page 108</p> <p>1 deceased. Everybody had cases like that in the 2 whole unit, my team included. 3 Q. What did you do to check to see whether 4 Shannon was getting an ordinary amount of cases 5 that were already in jail, dead or where the 6 warrants were not serviceable? 7 A. I didn't do anything. 8 Q. Well, how would you know if she was getting 9 more, less or the same amount? 10 A. CMO assign the cases. I don't assign the 11 cases. No one knows where these people are until 12 they start doing their research. So even if I had a 13 name in front of me, until I started doing my 14 research, nobody knows this person is dead, in jail 15 or the warrant isn't serviceable. 16 Q. So it is fair to say you don't know 17 personally if Shannon Spalding was getting more 18 cases that were leading to individuals who were, 19 for instance, in jail than the average member of 20 your team? 21 A. Sure. 22 Q. And it's fair to say that you don't know 23 whether or not Shannon Spalding was getting 24 cases -- a higher percentage of cases where</p>
<p style="text-align: right;">Page 107</p> <p>1 lack of foundation. 2 THE WITNESS: I don't assign the cases, 3 so, again, everybody got cases like that. 4 Everybody in the whole unit got cases like that. 5 BY MR. SMITH: 6 Q. Is it true that everybody in the whole unit 7 got -- the majority of their cases that were 8 assigned to them were situations where individuals 9 were in jail, dead or where the warrant was not 10 serviceable? 11 A. Everybody got cases that the people were 12 dead, in jail, the warrant wasn't serviceable. They 13 also got cases that they had to go out and find 14 these people. So everybody got cases across the 15 board and equally. 16 Q. So you think that Shannon got an equal 17 number of assignments that -- percentage of 18 assignments that the individuals were not in jail, 19 not dead and where the warrants were serviceable, 20 to the other members of your team? 21 A. I believe she got -- again, everybody got the 22 same type of cases, as far as people who were in 23 jail already, people whose warrants weren't 24 serviceable, people that they probably were found</p>	<p style="text-align: right;">Page 109</p> <p>1 individuals were dead than other members of your 2 team? 3 A. Sure. 4 Q. And did you do anything to try and suggest 5 to the people who assign cases to try and make it 6 more balanced in that regard? 7 MR. KING: Object to the form and lack 8 of foundation and asked and answered, but... 9 THE WITNESS: No. 10 BY MR. SMITH: 11 Q. Did anyone ever complain -- did Shannon 12 Spalding ever express to you that she was concerned 13 that because of the number of dead cases she was 14 getting, that they would reflect poorly on her 15 activity? 16 A. No. 17 Q. Did anyone ever ask you questions about 18 Shannon Spalding's activity and her number of 19 arrests or her -- strike the question. 20 Did any one of your supervisors ever ask you 21 about the type of activity that -- the type of 22 cases that Shannon Spalding was getting or the type 23 of results that Shannon Spalding was getting? 24 A. No.</p>

<p style="text-align: right;">Page 110</p> <p>1 Q. Did anyone ever express to you any type of</p> <p>2 problem with the results that Shannon Spalding was</p> <p>3 producing?</p> <p>4 A. No.</p> <p>5 Q. Did you feel that Shannon Spalding worked</p> <p>6 her cases and closed them out appropriately?</p> <p>7 A. Yes.</p> <p>8 Q. With respect to Danny, did anyone ever</p> <p>9 express to you that he was not closing out enough</p> <p>10 cases?</p> <p>11 A. No.</p> <p>12 Q. Did anyone ever express to you a concern</p> <p>13 with Danny's work level?</p> <p>14 A. No.</p> <p>15 Q. Did you feel that Danny worked his cases and</p> <p>16 closed them out appropriately while he was under</p> <p>17 your supervision?</p> <p>18 A. Yes.</p> <p>19 Q. Do you recall Commander O'Grady ever coming</p> <p>20 to narcotics -- coming from narcotics upstairs to</p> <p>21 the fugitive apprehension unit within a few days</p> <p>22 prior to Spalding and Echeverria arriving at the</p> <p>23 unit?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 112</p> <p>1 Q. Did Cesario ever say they were not good</p> <p>2 officers?</p> <p>3 A. No.</p> <p>4 Q. Did O'Grady ever say they were not good</p> <p>5 officers?</p> <p>6 A. No.</p> <p>7 Q. Did Sergeant Mills ever say they were not</p> <p>8 good officers?</p> <p>9 A. No.</p> <p>10 Q. Did any fellow teammates of -- in the</p> <p>11 fugitive apprehension unit ever say they were not</p> <p>12 good officers?</p> <p>13 A. No.</p> <p>14 MR. SMITH: If we could take a</p> <p>15 two-minute break, I'm just going to get a bottle of</p> <p>16 water. Does anyone else want one?</p> <p>17 (Recess taken from 12:23 to 12:31.)</p> <p>18 BY MR. SMITH:</p> <p>19 Q. After the meeting with Cesario and Salemmé</p> <p>20 with Danny and Shannon in which they were moved to</p> <p>21 nights, is it true that you had a conversation with</p> <p>22 Danny and Shannon in which you told them that you</p> <p>23 would see what you could do about getting them back</p> <p>24 on days or on the team?</p>
<p style="text-align: right;">Page 111</p> <p>1 Q. Do you recall O'Grady having a meeting about</p> <p>2 Spalding or Echeverria's reassignment with the</p> <p>3 supervisors in fugitive apprehension?</p> <p>4 A. As answered previously, no.</p> <p>5 Q. Did you -- during the time that Danny and</p> <p>6 Shannon worked under you at fugitive apprehensions,</p> <p>7 there were no complaints about Shannon or Danny</p> <p>8 while they were assigned to work with you, your</p> <p>9 team?</p> <p>10 A. Not to my knowledge, no.</p> <p>11 Q. Did you believe they were good officers?</p> <p>12 A. Yeah.</p> <p>13 Q. Did you hear of any complaints about Shannon</p> <p>14 or Danny at any time while they were in fugitive</p> <p>15 apprehension?</p> <p>16 A. As I answered previously, no.</p> <p>17 Q. Did you hear anyone from fugitive</p> <p>18 apprehensions ever say that they were not good</p> <p>19 officers?</p> <p>20 A. No.</p> <p>21 Q. Did Commander Salemmé ever say that they</p> <p>22 were not -- I mean, I'm sorry. Did Salemmé ever</p> <p>23 say they were not good officers?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 113</p> <p>1 A. I don't recall.</p> <p>2 Q. Isn't it true that Shannon was upset at the</p> <p>3 time and said that you'd already done enough damage</p> <p>4 and she didn't want to call you about that?</p> <p>5 A. I don't recall.</p> <p>6 Q. Now, we talked a little bit about reporting</p> <p>7 to the unit before, you know -- before --</p> <p>8 physically reporting to the unit, at the location</p> <p>9 of the unit, before the day would start or the</p> <p>10 shift would start. And you've indicated, I</p> <p>11 believe, that at times people could communicate to</p> <p>12 you from their locations rather than come in first,</p> <p>13 if there was a need to go to a different</p> <p>14 location --</p> <p>15 A. Right.</p> <p>16 Q. -- to actively work on the warrant.</p> <p>17 A. Right.</p> <p>18 Q. Did you ever require Spalding and Echeverria</p> <p>19 to report to the unit at the beginning of the tour,</p> <p>20 but not other members of the team?</p> <p>21 A. When you say "the unit," are you talking --</p> <p>22 Q. Your team.</p> <p>23 A. No, I'm saying, the unit, which place are you</p> <p>24 referring to?</p>

<p style="text-align: right;">Page 114</p> <p>1 Q. The physical location of fugitive 2 apprehensions, would have been 111th Street. 3 A. No. Well, fugitive apprehension at the time 4 was in Homan Square. 5 Q. I'm sorry. Area South, at 111th, did you 6 ever have them physically report to that area when 7 other members of the team didn't need to for the 8 beginning of their tours? 9 A. There were probably a few occasions where 10 that happened, but it was depending on what we were 11 probably working on or doing, but it wasn't an 12 everyday thing, no. 13 Q. Do you remember any particular occasion 14 where that was done? 15 A. No. 16 Q. Do you know why that would have been done 17 for only Danny and Shannon? 18 A. Well, it could have been for a vehicle 19 purposes. They may have had to pick up a car at 20 that unit, at that place, where we stored all the 21 cars and stuff. It could have been something like 22 that, or it could have been, you know, any other 23 operation we were probably working on or depending 24 on what -- you know, it wasn't a set thing just for</p>	<p style="text-align: right;">Page 116</p> <p>1 answered, but you can answer again. 2 THE WITNESS: All non-TFOs were not 3 given vehicles, not just Officer Spalding, all 4 non-TFOs in the whole unit. 5 (Off record discussion.) 6 BY MR. SMITH: 7 Q. Do you know if Danny or Shannon had access 8 to the police databases while they were a member of 9 your team? 10 A. The CPD databases, sure. Definitely. 11 Everybody had access to those. 12 Q. What about Accurant Leads 2000? 13 A. Everybody had -- was given those by me. The 14 team had an account, so everybody had that 15 information, which I'd share with everybody. 16 Q. Do you know if you shared that information 17 with Shannon Spalding? 18 A. I believe I did. 19 Q. When did you do that? 20 A. Probably weeks or maybe a month or so after 21 she got there. 22 Q. How did you do that? 23 A. I physically gave it -- the information to 24 my -- the password and the log-in information.</p>
<p style="text-align: right;">Page 115</p> <p>1 them. Other people also came there. 2 Q. But was there ever a time that they were 3 required to report to the physical area at 111th 4 Street, Area South, when other members of the team 5 did not as a general rule? 6 A. Not as a general rule, no. 7 Q. What about at the end of the tour, was there 8 ever a time period where they had to report to 9 111th Street, at Area South, as a general rule when 10 other members of the team didn't? 11 A. Not as a general rule, no. 12 Q. And then what about with -- were there times 13 where they did, but other members of the team did 14 not have to report at the end of their tour to Area 15 South? 16 A. Again, everything was fluid, so everything 17 wasn't the same for all -- for every time. So we 18 did things differently. Every team operated 19 differently. So it depended again, like I said, on 20 vehicles, where we ended our day at, things of that 21 nature, that's how we ended our day. 22 Q. Do you know why Officer Spalding was not 23 given a take-home vehicle? 24 MR. KING: Objection, asked and</p>	<p style="text-align: right;">Page 117</p> <p>1 Q. And was anybody else present when you did 2 that? 3 A. I don't remember if there were or not. 4 Q. Would you have done it by email? 5 A. I could have done it by email, but I know I 6 physically give you that stuff. I've -- I've always 7 done that. 8 Q. What about Danny? 9 A. Same thing. 10 Q. Would it surprise you if Shannon or Danny 11 made complaints that they weren't given the 12 account -- the information to be -- access Accurant 13 Leads 2000? 14 A. It would surprise me, but they were never -- 15 they never addressed me on that. 16 Q. Would that be a beneficial tool for somebody 17 in fugitive apprehensions? 18 A. It would help. It would help outside the 19 regular databases, sure. 20 Q. And it's certainly true that the rest of the 21 team had access to Accurant Leads 2000? 22 A. Yes. 23 Q. You would agree that even if you're not 24 deputized, an officer in fugitive apprehension</p>

<p style="text-align: right;">Page 118</p> <p>1 would be allowed to utilize the U.S. Marshal 2 databases? 3 A. If they're not deputized, they can't use 4 them. 5 Q. Is Accurant Leads 2000 a marshal database? 6 A. No. 7 Q. Did you know that Danny and Shannon believe 8 that they were in the unit for nearly a year before 9 they received access to the Leads 2000? 10 A. Again, it was never brought to my attention, 11 so I wouldn't know that. 12 Q. Did you ever go to Lieutenant Cesario or 13 Commander Salemme and specifically request that 14 either Spalding or Echeverria be removed off your 15 team? 16 A. No. 17 Q. Did you tell Spalding and Echeverria, in the 18 meeting with the commander and lieutenant, that 19 their numbers of arrests were low and that was part 20 of the reason they were being moved? 21 A. No. 22 Q. Did Lieutenant Cesario bring up arrest 23 numbers to justify moving Danny or Shannon from the 24 team?</p>	<p style="text-align: right;">Page 120</p> <p>1 conversation? 2 A. Not that I can remember, no. 3 Q. Did you say anything about what you had 4 heard the conversation was that he and -- that 5 Shannon was talking about to Hernandez? 6 In other words, you said that there was a 7 conversation about a conversation you and Shannon 8 had. Did you say anything about the details of 9 what Hernandez was claiming that conversation was 10 about? 11 A. Again, I probably touched on it, but I didn't 12 go into detail. 13 Q. Well, what would you have touched on? 14 A. Just that she was surprised that he had her 15 on speaker phone or something to that effect, that 16 she was apologetic about it. That's pretty much it. 17 Q. Was there any discussion of what the 18 situation between you and Shannon was that 19 Hernandez was approaching you about? 20 A. Probably I told him that he thought I was 21 trying to dump her from, you know, the unit or the 22 team or something like that, something to that. I 23 don't recall verbatim what I said to him. 24 Q. Did you equate it with the fact that you</p>
<p style="text-align: right;">Page 119</p> <p>1 A. He may have brought numbers up, but I don't 2 know what the purpose of them was for, though. 3 Q. Do you recall Danny and Shannon challenging 4 the numbers based on the fact that they were only 5 allowed to work the cases that they were assigned 6 and not any other cases? 7 A. I don't recall if that was or not. 8 Q. Do you recall Commander Salemme stating that 9 it was because -- they were moved because they 10 worked with IAD? 11 A. As answered previously, no. 12 Q. Did you talk about -- during the meeting 13 where it was said that Danny and Shannon were being 14 moved, did you specifically talk about the details 15 of your conversation with Officer Hernandez? 16 A. I didn't go into details. I just kind of 17 gave a thumbnail sketch of what happened. 18 Q. Do you recall what the thumbnail sketch was 19 that you gave? 20 A. Basically he confronted me about Shannon and 21 some conversation that he thought Shannon and I had, 22 and I told him that wasn't the case, and we pretty 23 much ended it right there. 24 Q. Did you say anything else about that</p>	<p style="text-align: right;">Page 121</p> <p>1 were playing -- or talking about a district -- a 2 different district? 3 A. Could you repeat that question? 4 Q. In terms of when you said that it was -- 5 something about that you were trying to dump -- 6 that he said you were trying to dump Shannon -- 7 A. Uh-huh. 8 Q. -- did you -- did you bring up anything 9 about the discussion in which you had told her 10 about other assignments or the district assignment 11 as opposed to being a fugitive in the fugitive 12 apprehension unit? 13 A. Not in -- not in that conversation. When I 14 told the lieutenant what happened, just one-on-one 15 when I told the lieutenant what happened that next 16 day, I told him all the details, but in that 17 meeting, no, I didn't -- I didn't bring that back 18 up, no. 19 Q. You told -- when you say you told the 20 lieutenant, which -- 21 A. My lieutenant, Lieutenant Cesario. The next 22 day after the incident happened with Hernandez, I 23 told him everything that happened. 24 Q. Did you tell Lieutenant -- your lieutenant</p>

<p style="text-align: right;">Page 122</p> <p>1 about what had happened relating to the incident in</p> <p>2 which you were talking about the 3rd District --</p> <p>3 A. Again --</p> <p>4 Q. -- and that she was lucky to be in fugitive</p> <p>5 apprehensions?</p> <p>6 A. Again, I don't know what district that I was</p> <p>7 referring to, again, just turned the radio on</p> <p>8 randomly, but I told him everything the following</p> <p>9 day, after Hernandez approached me about that.</p> <p>10 Q. Including --</p> <p>11 A. Everything.</p> <p>12 Q. -- details --</p> <p>13 A. Everything.</p> <p>14 Q. -- relating to your conversation with</p> <p>15 Shannon Spalding?</p> <p>16 A. Yes.</p> <p>17 Q. Do you recall what you said to Lieutenant</p> <p>18 Cesario about what your conversation was with</p> <p>19 Shannon Spalding?</p> <p>20 MR. KING: I'm just going to object,</p> <p>21 asked and answered. He detailed that entire</p> <p>22 conversation previously, but you can answer him</p> <p>23 again.</p> <p>24 THE WITNESS: I told him how Hernandez</p>	<p style="text-align: right;">Page 124</p> <p>1 appeared to be unhappy about the cases that she was</p> <p>2 getting, and I turned the radio on and asked her</p> <p>3 would she rather be doing what she was doing or</p> <p>4 would she rather be doing this that they're doing in</p> <p>5 the district. I told him everything.</p> <p>6 Q. Anything else besides that?</p> <p>7 A. No.</p> <p>8 Q. Anything further about what happened during</p> <p>9 the conversation with Shannon Spalding?</p> <p>10 A. No.</p> <p>11 Q. Who all was at the meeting -- was anyone</p> <p>12 there besides yourself, Danny, Shannon, Cesario and</p> <p>13 Salemme, at the meeting in which she was -- it was</p> <p>14 decided that she was going to be moved to nights?</p> <p>15 A. No.</p> <p>16 Q. Am I correct that those people were --</p> <p>17 A. Yeah.</p> <p>18 Q. -- there?</p> <p>19 A. Everybody was there that you just mentioned.</p> <p>20 Q. Did Salemme indicate in that meeting that</p> <p>21 Shannon and Danny were going to nights on the north</p> <p>22 side and at least they would still be in the unit</p> <p>23 for now until I can have you moved?</p> <p>24 A. I don't recall Commander Salemme saying much</p>
<p style="text-align: right;">Page 123</p> <p>1 approached me, how he said he was upset that I was</p> <p>2 trying to dump Shannon from the district -- or from</p> <p>3 the unit, rather, and I told him that wasn't the</p> <p>4 case.</p> <p>5 He then, in turn, called her on the</p> <p>6 phone, put her on speaker phone unbeknownst to her,</p> <p>7 and she was adamant, like get me off the phone,</p> <p>8 hang up the damn phone, whatever she was screaming</p> <p>9 and yelling at him. He hung up the phone. We</p> <p>10 continued our conversation for a short minute or</p> <p>11 two, and then we were done with it.</p> <p>12 BY MR. SMITH:</p> <p>13 Q. Did you tell him about -- Lieutenant Cesario</p> <p>14 about your conversation with Shannon Spalding?</p> <p>15 A. Yeah. I told him she was apologetic to me</p> <p>16 after that happened.</p> <p>17 Q. Not about after that happened. I'm talking</p> <p>18 about the conversation in which you turned on the</p> <p>19 radio --</p> <p>20 A. I told him all that, everything that led up</p> <p>21 to that. I told him everything.</p> <p>22 Q. What did you tell him about that</p> <p>23 conversation you had with Shannon Spalding?</p> <p>24 A. I told him about she was unhappy, where she</p>	<p style="text-align: right;">Page 125</p> <p>1 of anything. He was pretty much quiet the whole</p> <p>2 time.</p> <p>3 Q. Did anyone say -- did anyone say that they</p> <p>4 were going to nights on the north side and were</p> <p>5 still going to be in the unit at least for now?</p> <p>6 A. I don't recall what was being said -- or what</p> <p>7 was said, actually, about that.</p> <p>8 Q. Well, did anyone say that they were going to</p> <p>9 nights?</p> <p>10 A. I think Lieutenant Cesario said that.</p> <p>11 Q. And did Lieutenant Cesario say that you will</p> <p>12 never work days again as long as I'm on this job?</p> <p>13 A. No.</p> <p>14 Q. And did Lieutenant Cesario say you will</p> <p>15 never be deputized?</p> <p>16 A. No.</p> <p>17 Q. Did Lieutenant Cesario say you'll never have</p> <p>18 a take-home car?</p> <p>19 A. No.</p> <p>20 Q. Did Shannon Spalding request to be moved to</p> <p>21 days -- be moved anywhere in the city as long as it</p> <p>22 was in days?</p> <p>23 A. I don't recall if she said that or not.</p> <p>24 Q. Do you remember her saying anything about</p>


<p style="text-align: right;">Page 126</p> <p>1 what her preference was?</p> <p>2 A. No.</p> <p>3 Q. Did she say anything about whether she</p> <p>4 wanted days or nights?</p> <p>5 A. I don't remember anything being said about</p> <p>6 that.</p> <p>7 Q. What about Danny?</p> <p>8 A. Don't remember.</p> <p>9 Q. Did you ever have a conversation with</p> <p>10 Detective Gushiniere about Shannon Spalding or</p> <p>11 Danny Echeverria prior to them arriving on the</p> <p>12 team?</p> <p>13 A. No.</p> <p>14 Q. Did you ever speak with Walker about Danny</p> <p>15 and Shannon before they arrived on your team?</p> <p>16 A. Not that I can recall. I'm sure I told</p> <p>17 everybody we're getting two people, new people, on</p> <p>18 our team in general, but that's about it.</p> <p>19 Q. Did you ever work the violence reduction</p> <p>20 program paid for by the U.S. Marshals?</p> <p>21 A. Paid for by who?</p> <p>22 Q. Well, let's start with: Did you ever work</p> <p>23 the violence reduction program?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 128</p> <p>1 A. 6 to 2:30, I believe. Yeah, 6 to 2:30 on</p> <p>2 Saturdays and Sundays; on your days off, so to</p> <p>3 speak.</p> <p>4 Q. When you work in the VRI, were you always</p> <p>5 present for the very start of the VRI tour?</p> <p>6 A. No.</p> <p>7 Q. Were you ever on the VRI and also at the</p> <p>8 same time on duty with your regular job as a</p> <p>9 Chicago Police Department officer?</p> <p>10 A. As I said before, it's on your days off, so,</p> <p>11 no, I can't be working. That's like double dipping.</p> <p>12 You can't do that.</p> <p>13 Q. Do you know if you were ever -- why would</p> <p>14 you not be present for the start of VRI?</p> <p>15 A. Well, the assignments were given out</p> <p>16 previous, the night before, the day before. So</p> <p>17 everybody had their assignments. They knew their</p> <p>18 cases. They knew what they had to work up, so that</p> <p>19 wouldn't require my presence to do that.</p> <p>20 Q. Were there times where any member of the</p> <p>21 team you were supervising during VRI would ever</p> <p>22 leave early or come in late?</p> <p>23 A. Not to my knowledge.</p> <p>24 Q. Would you always work a full tour of duty</p>
<p style="text-align: right;">Page 127</p> <p>1 Q. Do you know who pays for your time when</p> <p>2 you're on -- in the violence reduction program?</p> <p>3 A. The city.</p> <p>4 Q. Are the marshals involved in that in any</p> <p>5 way?</p> <p>6 A. No.</p> <p>7 Q. Do you know if the marshals have a violence</p> <p>8 reduction program?</p> <p>9 A. Not that I know of.</p> <p>10 Q. Do you know if there's a program where you</p> <p>11 can work for time-and-a-half pay to look for</p> <p>12 fugitives?</p> <p>13 A. That's within the city. That's what the city</p> <p>14 does. That's CPD, not marshals.</p> <p>15 Q. And have you worked that program?</p> <p>16 A. Yes.</p> <p>17 Q. And are you entitled to time-and-a-half when</p> <p>18 you work that?</p> <p>19 A. Yes. Everybody is.</p> <p>20 Q. Would Shannon and Danny have been eligible</p> <p>21 for that?</p> <p>22 A. Yes.</p> <p>23 Q. In terms of what would be your tour of duty</p> <p>24 hours in the VRI?</p>	<p style="text-align: right;">Page 129</p> <p>1 while assigned to fugitive apprehension unit, full</p> <p>2 eight-hour tour of duty?</p> <p>3 A. Yes.</p> <p>4 Q. As a sergeant, were you required to come in</p> <p>5 and make sure your officers were -- as a sergeant,</p> <p>6 were you required to come in and make sure that</p> <p>7 your officers were at the VRI?</p> <p>8 A. Yes, that was one of the requirements.</p> <p>9 Q. And were you required to do the ANAs for</p> <p>10 them?</p> <p>11 A. Yes.</p> <p>12 Q. Were there ever ANAs showing that somebody</p> <p>13 was working at the VRI and also working on duty</p> <p>14 with the fugitive apprehension unit that you're</p> <p>15 aware of?</p> <p>16 A. Again, it's during your days off, so you</p> <p>17 can't do both.</p> <p>18 Q. At the start, were there ever any times</p> <p>19 where they were shown as working at fugitive</p> <p>20 apprehension at the start of the tour of the VRI?</p> <p>21 Or is it the other way around?</p> <p>22 (Off record discussion.)</p> <p>23 BY MR. SMITH:</p> <p>24 Q. Did you ever have a conversation with an</p>

<p style="text-align: right;">Page 130</p> <p>1 Officer Chris Dingle, working with the VRI, and</p> <p>2 informed him he needed to drop paper or to complete</p> <p>3 a to/from form in regards to Officer Spalding?</p> <p>4 A. No.</p> <p>5 Q. Were you aware of any situation in which</p> <p>6 Chris Dingle completed a to/from form in regards to</p> <p>7 Shannon Spalding?</p> <p>8 A. No.</p> <p>9 Q. Do you know -- did you even know that Chris</p> <p>10 Dingle created a to/from report relating to Shannon</p> <p>11 Spalding?</p> <p>12 A. No.</p> <p>13 Q. In terms of...</p> <p>14 (Off record discussion.)</p> <p>15 BY MR. SMITH:</p> <p>16 Q. Why wouldn't you have to be present at the</p> <p>17 beginning of the VRI at 6 a.m. to account for your</p> <p>18 officers if you were working the VRI?</p> <p>19 A. Well, it could have been a number of reasons.</p> <p>20 I could have been doing other reports. I could have</p> <p>21 been getting gas. I could have been doing a number</p> <p>22 of things, but I was always available.</p> <p>23 Q. So in terms of you would not need to be</p> <p>24 present at the start of the VRI to make sure your</p>	<p style="text-align: right;">Page 132</p> <p>1 with your attorney. Who have you talked to about</p> <p>2 the lawsuit?</p> <p>3 A. With my wife.</p> <p>4 Q. Is she a sworn officer?</p> <p>5 A. Yes.</p> <p>6 Q. Oh. Anyone other than your wife?</p> <p>7 A. No.</p> <p>8 Q. How did -- well, other than -- did you learn</p> <p>9 about the lawsuit through an attorney or someone</p> <p>10 else?</p> <p>11 A. Through an attorney.</p> <p>12 Q. Were you ever present while the lawsuit was</p> <p>13 being discussed among officers in fugitive</p> <p>14 apprehensions?</p> <p>15 A. I'm sure I was at some point.</p> <p>16 Q. Did you ever hear any members talking about</p> <p>17 the lawsuit?</p> <p>18 A. I'm -- yes.</p> <p>19 Q. What members?</p> <p>20 A. I can't name -- I don't know any names off</p> <p>21 the top of my head, but everybody talks about it.</p> <p>22 It's public knowledge now, so everybody is talking</p> <p>23 about it.</p> <p>24 Q. Did --</p>
<p style="text-align: right;">Page 131</p> <p>1 officers, who were working under you, were there?</p> <p>2 A. I knew they were there.</p> <p>3 Q. But you would not -- you're saying you don't</p> <p>4 believe your physical presence was necessary at the</p> <p>5 start of --</p> <p>6 A. It wasn't necessary all the time, no, I don't</p> <p>7 believe so.</p> <p>8 Q. So sometimes you weren't there for the start</p> <p>9 of the VRI?</p> <p>10 A. Sometimes. Not that often, though.</p> <p>11 Q. Did you ever speak to Shannon Spalding about</p> <p>12 a report made by Chris Dingle in regards to the VRI</p> <p>13 relating to her?</p> <p>14 A. Not that I know of, no.</p> <p>15 Q. So it's fair to say that you didn't take any</p> <p>16 actions relating to a report made by Chris Dingle</p> <p>17 about Shannon Spalding?</p> <p>18 A. I don't have any information about a report</p> <p>19 being generated by a Chris Dingle, so I wouldn't</p> <p>20 know.</p> <p>21 Q. Have you ever discussed the lawsuit with any</p> <p>22 fellow police officers since you learned of it?</p> <p>23 A. Sure.</p> <p>24 Q. And, again, this is not any conversation</p>	<p style="text-align: right;">Page 133</p> <p>1 A. Even --</p> <p>2 Q. Go ahead.</p> <p>3 A. I'm saying even people outside our unit are</p> <p>4 talking about it, so everybody knows about it.</p> <p>5 Q. Did the lieutenant or commander ever meet</p> <p>6 with any members of the fugitive apprehensions</p> <p>7 unit, including you, regarding the lawsuit?</p> <p>8 A. No.</p> <p>9 Q. Did you discuss this lawsuit with any</p> <p>10 members of your team at any time?</p> <p>11 A. No.</p> <p>12 Q. Are you aware of any criminal allegations</p> <p>13 against any member of your team or the members of</p> <p>14 the fugitive apprehension unit?</p> <p>15 A. No.</p> <p>16 Q. Did you ever tell Tomika Rainey that Shannon</p> <p>17 and Danny were IAD officers?</p> <p>18 A. No.</p> <p>19 Q. Did you ever tell -- have a conversation</p> <p>20 with Officer Rainey about either Shannon or Danny?</p> <p>21 A. No.</p> <p>22 (Off record discussion.)</p> <p>23 BY MR. SMITH:</p> <p>24 Q. Are you aware of any -- I asked you,</p>

<p style="text-align: right;">Page 134</p> <p>1 generally speaking, criminal -- criminal 2 allegations. Included in that, I was referring to 3 even something such as a DUI. 4 Are you aware of any DUI allegations against 5 any of your team members? 6 A. No. 7 Q. Are you aware of Officer Rainey suffering 8 injuries in an auto accident? 9 A. Yes. 10 Q. And you're not aware of any allegations, 11 criminal, that have been made in relation to that 12 incident? 13 A. No. 14 Q. Are you aware of a CR number relating to 15 that accident that caused injuries to Officer 16 Rainey? 17 A. There was a CR number generated, yes. I'm 18 aware. 19 Q. Did any officer from the team members ever 20 approach you and tell you that -- that an officer 21 involved in that incident had been drinking? 22 A. Yes, they approached me and made that 23 allegation. 24 Q. What officers approached you and made the</p>	<p style="text-align: right;">Page 136</p> <p>1 Q. Did you ever discuss a CR that was filed 2 against Officer Spalding concerning a recording of 3 Sergeant Mills -- 4 A. No. 5 Q. -- at any time with any members of the unit? 6 A. No. 7 Q. Were you aware that someone accused Officer 8 Spalding of recording Sergeant Mills? 9 A. No, I was not. 10 Q. Did you ever -- do you know if when -- while 11 Officer Spalding was assigned to your team, did she 12 report to duty on time? 13 A. Yes. 14 Q. What about Officer Echeverria, did he report 15 to duty on time? 16 A. Yes. 17 Q. And did she file and turn in reports, 18 including the U.S. Marshal reports and paperwork, 19 on time? 20 A. Yes. 21 Q. And what about Officer Echeverria, did he 22 turn in his reports on time? 23 A. Yes. 24 Q. If she was asked to backup and assist other</p>
<p style="text-align: right;">Page 135</p> <p>1 allegation? 2 A. I want to say it was Officer Rawls, who is no 3 longer in the unit. 4 Q. And do you recall who they said it was 5 against? 6 A. He made the allegation against Robert Walker. 7 Q. Was anyone else present for this 8 conversation? 9 A. No. 10 Q. What action did you take once you learned 11 this information? 12 A. I informed the lieutenant and then I 13 generated a CR number. 14 Q. Did Walker remain on your team? 15 A. Yes. 16 Q. Where is Walker currently assigned? 17 A. He's now a -- he's now a sergeant in the 4th 18 District. 19 Q. Did you ever discuss -- did you recommend 20 him for that position of sergeant? 21 A. No. 22 Q. Were you asked your opinion about Officer 23 Walker at any point? 24 A. No.</p>	<p style="text-align: right;">Page 137</p> <p>1 team members in their cases, would she back them 2 up? 3 A. Yes, she would. 4 Q. And what about Officer Echeverria, would he 5 backup his fellow team members in cases? 6 A. Yes. 7 Q. Do you recall that on Shannon Spalding's 8 first day in the fugitive apprehension unit, that 9 she went into a swamp along the highway to 10 apprehend an offender that was fleeing the U.S. 11 Marshals and the team? 12 A. We all went into the swamp, but, yes, I'm 13 aware of it. 14 Q. Did you ever complete a performance 15 evaluation for either Spalding or Echeverria? 16 A. Yes, I did. 17 Q. And what were -- do you recall what kind of 18 scores you gave Spalding and Echeverria? 19 A. I don't recall what the -- the parameters 20 were, but they were pretty high. 21 Q. Do you know if officers on your team sign 22 off on evaluations you give them? 23 A. Yes. 24 Q. Do you know if Shannon or Danny signed off</p>

<p style="text-align: right;">Page 138</p> <p>1 on any of your evaluations?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. In terms of -- I'm going to ask you a</p> <p>4 few names, and then we'll be done.</p> <p>5 Do you know Jimmy Jackson?</p> <p>6 A. Yes.</p> <p>7 Q. How do you know Jimmy Jackson?</p> <p>8 A. Well, former first deputy of the police</p> <p>9 department, but he was also my commander when I was</p> <p>10 in the 11th District as a sergeant.</p> <p>11 Q. Okay. Is he a personal friend?</p> <p>12 A. Not a personal friend.</p> <p>13 Q. Do you know Tina Scahill?</p> <p>14 A. Yes.</p> <p>15 Q. How do you know Tina Scahill?</p> <p>16 A. She was a -- I believe her position was</p> <p>17 deputy chief, I think, I'm not for sure, on the</p> <p>18 department.</p> <p>19 Q. Have you ever talked to Tina Scahill about</p> <p>20 either Danny or Shannon?</p> <p>21 A. No.</p> <p>22 Q. Do you know a Deborah Kirby?</p> <p>23 A. Yes.</p> <p>24 Q. How do you know Deborah Kirby?</p>	<p style="text-align: right;">Page 140</p> <p>1 Q. How about the lawsuit?</p> <p>2 A. No.</p> <p>3 Q. Do you know Beatrice Cuello?</p> <p>4 A. Yes.</p> <p>5 Q. How do you know her?</p> <p>6 A. From being one of the bosses on the job. I</p> <p>7 think she was a chief or something to that effect.</p> <p>8 Q. Did you ever talk to her about Danny or</p> <p>9 Shannon?</p> <p>10 A. No.</p> <p>11 Q. Do you know Liz Glatz?</p> <p>12 A. No.</p> <p>13 Q. Sergeant Jill Stevens?</p> <p>14 A. No.</p> <p>15 Q. Lieutenant Pasqua?</p> <p>16 A. I know of her. I don't know her like</p> <p>17 personally or anything.</p> <p>18 Q. Okay. Is it fair to say you never talked to</p> <p>19 her about Danny, Shannon or the lawsuit?</p> <p>20 A. Right, that's correct.</p> <p>21 Q. Do you know Nick Roti?</p> <p>22 A. Yes.</p> <p>23 Q. How do you know Nick Roti?</p> <p>24 A. I think he's the chief of organized crime.</p>
<p style="text-align: right;">Page 139</p> <p>1 A. I think she's a chief or she was a</p> <p>2 superintendent's legal counsel. I believe. Don't</p> <p>3 quote me on that.</p> <p>4 Q. Are you personal friends with her?</p> <p>5 A. No.</p> <p>6 Q. Did you ever talk with her about Shannon or</p> <p>7 Danny?</p> <p>8 A. No.</p> <p>9 Q. Do you know Juan Rivera?</p> <p>10 A. Yes.</p> <p>11 Q. How do you know Juan Rivera?</p> <p>12 A. I worked for Juan Rivera in narcotics when he</p> <p>13 was a sergeant there. Now he's, I think, the chief</p> <p>14 of IAD.</p> <p>15 Q. Have you ever talked with Juan Rivera about</p> <p>16 Shannon or Danny?</p> <p>17 A. No.</p> <p>18 Q. How about about this lawsuit?</p> <p>19 A. No.</p> <p>20 Q. As we -- we already talked about Commander</p> <p>21 O'Grady.</p> <p>22 Have you ever talked with Commander O'Grady</p> <p>23 about Danny or Shannon?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 141</p> <p>1 Q. Did you ever talk to him about Danny,</p> <p>2 Shannon or the lawsuit?</p> <p>3 A. No.</p> <p>4 Q. Are you friends with Nick Roti?</p> <p>5 A. No.</p> <p>6 Q. Do you know Lieutenant Sadowski?</p> <p>7 A. No.</p> <p>8 Q. Do you know Commander Stanley?</p> <p>9 A. I know of her.</p> <p>10 Q. It's fair to say you've never talked to her</p> <p>11 about Danny, Shannon or the lawsuit?</p> <p>12 A. That's correct.</p> <p>13 Q. Do you know an Aileen Robertson?</p> <p>14 A. No.</p> <p>15 Q. How long have you known Joseph Salemme?</p> <p>16 A. Probably off and on. I knew of him when I</p> <p>17 came on the job, but just -- just in seeing him</p> <p>18 around the different -- the various departments --</p> <p>19 the various units or assignments.</p> <p>20 Q. Before you even worked under him?</p> <p>21 A. Right.</p> <p>22 Q. Okay. And did you ever work under him at</p> <p>23 any other time?</p> <p>24 A. No.</p>

<p style="text-align: right;">Page 142</p> <p>1 Q. In terms of directly now.</p> <p>2 A. No.</p> <p>3 Q. How about Robert Cesario, did you know him</p> <p>4 before going to fugitive apprehensions?</p> <p>5 A. Yes.</p> <p>6 Q. How did you know him?</p> <p>7 A. He was a sergeant in a major case, which was</p> <p>8 part of 606, so I would see him just around with his</p> <p>9 team periodically.</p> <p>10 Q. Did you ever talk with Cesario about Shannon</p> <p>11 or Danny -- the lawsuit --</p> <p>12 A. No.</p> <p>13 Q. -- in relation to ---</p> <p>14 A. No.</p> <p>15 Q. Did you ever talk to Salemmme about the</p> <p>16 lawsuit?</p> <p>17 A. No.</p> <p>18 Q. Do you know Tom Byrne?</p> <p>19 A. Yes.</p> <p>20 Q. Have you ever talked to Tom Byrne about</p> <p>21 Danny or Shannon?</p> <p>22 A. No.</p> <p>23 Q. Have you ever talked to Lorne Gushiniere</p> <p>24 about the lawsuit?</p>	<p style="text-align: right;">Page 144</p> <p>1 about Padar, it's me, Tony, who made a complaint?</p> <p>2 A. No. I don't remember him saying. He was</p> <p>3 focused on what was going on with her.</p> <p>4 Q. Well, do you remember any conversation in</p> <p>5 relation to the way you were treating Shannon</p> <p>6 relating to the fact that there was a CR against a</p> <p>7 sergeant?</p> <p>8 A. No. No.</p> <p>9 MR. SMITH: Nothing further.</p> <p>10 MR. KING: Nothing. Reserve.</p> <p>11 (Deposition concluded at 1:16.)</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
<p style="text-align: right;">Page 143</p> <p>1 A. No.</p> <p>2 Q. Do you know Colleen Dugan?</p> <p>3 A. Yes.</p> <p>4 Q. And have you ever talked with her about an</p> <p>5 incident involving Shannon Spalding and Tom Mills?</p> <p>6 A. No.</p> <p>7 Q. Has she ever made any complaints to you</p> <p>8 about Shannon Spalding or Dan Echeverria?</p> <p>9 A. No.</p> <p>10 MR. SMITH: If we could take a</p> <p>11 two-minute break, I think I'm basically done, if</p> <p>12 not done.</p> <p>13 MR. KING: Okay.</p> <p>14 (Recess taken from 1:09 to 1:15.)</p> <p>15 BY MR. SMITH:</p> <p>16 Q. I mentioned earlier that -- the name Padar</p> <p>17 in connection with conversation -- the conversation</p> <p>18 you had with Tony Hernandez.</p> <p>19 A. Uh-huh.</p> <p>20 Q. Do you recall any mention of a Sergeant</p> <p>21 Padar in that conversation?</p> <p>22 A. No.</p> <p>23 Q. Do you recall any explanation in relation to</p> <p>24 the fact that it's not Shannon who made a complaint</p>	<p style="text-align: right;">Page 145</p> <p>1 CERTIFICATE</p> <p>2 OF</p> <p>3 CERTIFIED SHORTHAND REPORTER</p> <p>4</p> <p>5 I, KARYN H. CHALEM, a Certified Shorthand</p> <p>6 Reporter of the State of Illinois, CSR License No.</p> <p>7 084-004167, do hereby certify:</p> <p>8 That previous to the commencement of the</p> <p>9 examination of the aforesaid witness, the witness was</p> <p>10 duly sworn by me to testify the whole truth concerning</p> <p>11 the matters herein;</p> <p>12 That the foregoing deposition transcript was</p> <p>13 stenographically reported by me and was thereafter</p> <p>14 reduced to typewriting under my personal direction and</p> <p>15 constitutes a true and accurate record of the testimony</p> <p>16 given and the proceedings had at the aforesaid</p> <p>17 deposition;</p> <p>18 That the said deposition was taken before me</p> <p>19 at the time and place specified;</p> <p>20 That I am not a relative or employee or</p> <p>21 attorney or counsel for any of the parties herein, nor a</p> <p>22 relative or employee of such attorney or counsel for any</p> <p>23 of the parties hereto, nor am I interested directly or</p> <p>24</p>

<p style="text-align: right;">Page 146</p> <p>1 indirectly in the outcome of this action.</p> <p>2 IN WITNESS WHEREOF, I do hereunto set my</p> <p>3 hand at Chicago, Illinois, this 9th day of March, 2015.</p> <p>4</p> <p>5</p> <p>6</p> <p>7 </p> <p>8 KARYN CHALEM, CSR, RPR</p> <p>9 CSR No: 084-004167</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 148</p> <p>1 DEPOSITION REVIEW</p> <p>2 CERTIFICATION OF WITNESS</p> <p>3 ASSIGNMENT NO: 2022283</p> <p>4 CASE NAME: Spaulding, Shannon v. City of Chicago</p> <p>5 DATE OF DEPOSITION: 2/25/2015</p> <p>6 WITNESS' NAME: Sergeant Maurice Barnes</p> <p>7 In accordance with the Rules of Civil</p> <p>8 Procedure, I have read the entire transcript of</p> <p>9 my testimony or it has been read to me.</p> <p>10 I have made no changes to the testimony</p> <p>11 as transcribed by the court reporter.</p> <p>12</p> <p>13 Date Sergeant Maurice Barnes</p> <p>14 Sworn to and subscribed before me, a</p> <p>15 Notary Public in and for the State and County,</p> <p>16 the referenced witness did personally appear</p> <p>17 and acknowledge that:</p> <p>18 They have read the transcript;</p> <p>19 They signed the foregoing Sworn</p> <p>20 Statement; and</p> <p>21 Their execution of this Statement is of</p> <p>22 their free act and deed.</p> <p>23</p> <p>24 I have affixed my name and official seal</p> <p>25 this ____ day of _____, 20____.</p> <p>____</p> <p>Notary Public</p> <p>____</p> <p>Commission Expiration Date</p>
<p style="text-align: right;">Page 147</p> <p>1 Veritext Legal Solutions</p> <p>2 1 North Franklin Street - Suite 3000</p> <p>3 Chicago, Illinois 60606</p> <p>4 Phone: 312-442-9087</p> <p>5</p> <p>6 March 11, 2015</p> <p>7 To: Alan S. King</p> <p>8 Case Name: Spaulding, Shannon, et al. v. City of Chicago, et al.</p> <p>9 Veritext Reference Number: 2022283</p> <p>10 Witness: Sergeant Maurice Barnes Deposition Date: 2/25/2015</p> <p>11 Dear Sir/Madam:</p> <p>12 Enclosed please find a deposition transcript. Please have the witness</p> <p>13 review the transcript and note any changes or corrections on the</p> <p>14 included errata sheet, indicating the page, line number, change, and</p> <p>15 the reason for the change. Have the witness' signature at the bottom</p> <p>16 of the sheet notarized and forward errata sheet back to us at the</p> <p>17 address shown above, or email to production-midwest@veritext.com.</p> <p>18 If the errata is not returned within thirty days of your receipt of</p> <p>19 this letter, the reading and signing will be deemed waived.</p> <p>20</p> <p>21</p> <p>22 Sincerely,</p> <p>23</p> <p>24 Production Department</p>	<p style="text-align: right;">Page 149</p> <p>1 DEPOSITION REVIEW</p> <p>2 CERTIFICATION OF WITNESS</p> <p>3 ASSIGNMENT NO: 2022283</p> <p>4 CASE NAME: Spaulding, Shannon v. City of Chicago</p> <p>5 DATE OF DEPOSITION: 2/25/2015</p> <p>6 WITNESS' NAME: Sergeant Maurice Barnes</p> <p>7 In accordance with the Rules of Civil</p> <p>8 Procedure, I have read the entire transcript of</p> <p>9 my testimony or it has been read to me.</p> <p>10 I have listed my changes on the attached</p> <p>11 Errata Sheet, listing page and line numbers as</p> <p>12 well as the reason(s) for the change(s).</p> <p>13 I request that these changes be entered</p> <p>14 as part of the record of my testimony.</p> <p>15</p> <p>16 I have executed the Errata Sheet, as well</p> <p>17 as this Certificate, and request and authorize</p> <p>18 that both be appended to the transcript of my</p> <p>19 testimony and be incorporated therein.</p> <p>20</p> <p>21 Date Sergeant Maurice Barnes</p> <p>22 Sworn to and subscribed before me, a</p> <p>23 Notary Public in and for the State and County,</p> <p>24 the referenced witness did personally appear</p> <p>25 and acknowledge that:</p> <p>They have read the transcript;</p> <p>They have listed all of their corrections</p> <p>in the appended Errata Sheet;</p> <p>They signed the foregoing Sworn</p> <p>Statement; and</p> <p>Their execution of this Statement is of</p> <p>their free act and deed.</p> <p>I have affixed my name and official seal</p> <p>this ____ day of _____, 20____.</p> <p>____</p> <p>Notary Public</p> <p>____</p> <p>Commission Expiration Date</p>

1	ERRATA SHEET
2	VERITEXT LEGAL SOLUTIONS MIDWEST
3	ASSIGNMENT NO: 2022283
4	PAGE/LINE(S) / CHANGE /REASON
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19	
20	Date _____ Sergeant Maurice Barnes
21	SUBSCRIBED AND SWORN TO BEFORE ME THIS _____
22	DAY OF _____, 20____.
23	_____ Notary Public
24	
25	_____ Commission Expiration Date